FINAL
ENVIRONMENTAL IMPACT STATEMENT

VOLUME 1 - RESPONSES TO COMMENTS

SOLEDAD CANYON

SAND AND GRAVEL MINING PROJECT

OEPC #FES-00-18

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE

JUNE 2000

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Prepared for:

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE
690 W. Garnet Avenue
P.O. Box 1260
North Palm Springs, California 92258

Project Applicant:

TRANSIT MIXED CONCRETE COMPANY
1201 West Gladstone Street
Azusa, California 91702

EIS Consultant:

CHAMBERS GROUP, INC.
17671 Cowan Avenue, Suite 100
Irvine, California 92614

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SECTION 1.0 - ORGANIZATION

1.1 PROJECT SUMMARY

The U.S. Department of the Interior, Bureau of Land Management (BLM) as Lead Agency for preparation of an Environmental Impact Statement (EIS) has prepared responses to comments received during the public review process of the Draft EIS (DEIS) in accordance with the National Environmental Policy Act (NEPA) process [40 CFR 1503.4(b)]. Responses to public comments combined with revisions to the DEIS comprise the Final EIS (FEIS) of which this volume is a part.

Transit Mixed Concrete (TMC) Company proposes to mine, produce, and sell sand and gravel resources over a 20-year period as provided in the proposed Mining and Reclamation Plan and pursuant to regulations governing the contracting of mineral rights by TMC from BLM. TMC proposes to mine a total of 83 million tons of material and produce and sell approximately 56 million tons of sand and gravel, also known as Portland cement concrete sand and gravel (PCC aggregates) over a 20-year period. The proposed site plan includes a concrete batch plant to produce and deliver ready-mixed concrete to local markets. All proposed mining operations will be located north of Soledad Canyon Road and the Santa Clara River, in Los Angeles County, California.

The majority of the "Project" site is a "split estate" with the mineral resources owned by the United States of America and administered by the BLM. The surface is privately owned and falls within the jurisdiction of the County of Los Angeles (County). The BLM and the County are both responsible for analyzing and approving a Mining and Reclamation Plan in compliance with the Surface Mining and Reclamation Act of 1975, as amended (SMARA), and the Code of Federal Regulations (CFR). The County has conducted a separate environmental review process through the preparation of a Draft Environmental Impact Report (DEIR) that complies with the California Environmental Quality Act (CEQA).

1.2 PUBLIC REVIEW PROCESS

The DEIS was published on May 5, 1999. The BLM initially provided a 60-day period for the public to comment on the DEIS, which was to end on July 5, 1999. The BLM also held two public meetings to take oral comments on the DEIS, at 4:00 p.m. on June 2, 1999 and at 7:00 p.m. on June 2, 1999. At the June 2, 1999 meetings, the BLM announced that it would extend the public comment period on the DEIS to September 13, 1999, in order to harmonize the BLM's public comment period on the DEIS with the local lead agency's (the County's) public comment period on the Draft Environmental Impact Report (DEIR). On November 17, 1999, the BLM published a Supplement to the Draft Environmental Impact Statement (SDEIS), and extended the public comment period for the DEIS, and the SDEIS, to January 10, 2000. The BLM also committed to reviewing all comments received during the County's review process.

Comment letters on the DEIS and SDEIS were received from 23 federal, state, and local agencies; 19 letters from community groups, associations, or consulting firms; and 109 from individuals both opposed to and in support of the Project. For the DEIR, the County received 43 letters from state and

local agencies; 35 letters from community groups, associations, and consulting firms; 260 letters from individuals in opposition to the Project, and 124 letters from individuals in support of the Project.

Following completion of the FEIS, and publication of the Notice of FEIS in the Federal Register, the BLM will publish a Record of Decision on the Mining and Reclamation Plan.

1.3 DOCUMENT ORGANIZATION

This Volume (Volume 1) contains the responses to all comments received during the DEIS, SDEIS, and DEIR public comment periods, including oral testimony presented at public hearings for both the DEIS and DEIR. Volumes 2 through 6 contain copies of the written comment letters received by the BLM and the County and the oral transcripts of the hearings.

The breakdown of Volumes 2 through 6 is as follows:

Volume 2 - DEIS and SDEIS Written Comment Letters (includes Federal, State, and Local agencies, Community Groups, Associations, Consulting firms, and Individual letters)

Volume 3 - BLM Public Hearing Transcript

Volume 4 - DEIR Written Comment Letters from State, and Local agencies, Community Groups, Associations, and Consulting firms

Volume 5 - DEIR Written Comment Letters from Individuals/Petitions/Form Letters

Volume 6 - County DEIR Public Hearing Transcripts

All of these volumes, together with the revised DEIS text and DEIS Technical Appendices Volumes comprise the FEIS.

SECTION 2.0 - DISPOSITION OF PROJECT ISSUES

2.1 INTRODUCTION

This section contains responses to those comments repeatedly raised during the public review period by all commentators. These are referred to as "Topical Responses," and cover a broad range of issues. In Sections 3 to 5 of this Responses to Comments volume, where appropriate, referral is made to these Topical Responses.

2.2 ADMINISTRATIVE AND PROCESS ISSUES

2.2.1 Federal Contracts and Approval Process

TOPICAL RESPONSE ADMIN-1: FEDERAL CONTRACTS AND APPROVAL PROCESS

Several commentators have raised questions about the relationship of the Federal Contracts issued in 1990, and the environmental review currently being undertaken for the Project. The Project proposes mining of the site in accordance with, and to implement, Federal Contracts entered into by and between the U.S. Department of Interior, Bureau of Land Management (BLM) and TMC in March 1990. The Federal Contracts were entered into following a Court-ordered settlement in 1988 of a legal action for mineral trespass brought in the United States District Court by the United States Attorney in 1986, against the prior mining operator on the site, who had been mining the site for over 20 years pursuant to a County-issued conditional use permit. Under the settlement, and in accordance with the requirements of the Minerals Act of July 31, 1947, and other applicable federal laws and regulations, it was agreed by the parties to put the rights to mine sand and gravel from the entire site up for public competitive bid.

In 1989, the BLM, the federal lead agency for the Federal Contracts, prepared an Environmental Assessment ("EA") in accordance with the National Environmental Policy Act of 1969 (42 USCA §§4321-4347, "NEPA") to analyze the impacts of the proposed sand and gravel sale. The EA analyzed the impacts of mining up to 100 million tons at the site. The BLM issued a Decision Record approving the sale with a Finding of No Significant Impact (FONSI) statement. In issuing the FONSI, the BLM also committed to analyze the impacts of the Project operations implementing the Federal Contracts (Mining and Reclamation Plan) at a later date.

Also in 1989, the BLM published a Notice of Sand and Gravel Sale to be held by public competitive bid. The successful bidder was TMC. Subsequent to the bid, the Federal Contracts were entered into allowing mining up to 56 million tons (a little more than half the amount analyzed in the EA). Thereafter, a Mining and Reclamation Plan was developed by TMC within the parameters of the terms of the Federal Contracts, and submitted to the BLM in May 1990. The plan was prepared to meet the requirements of the Code of Federal Regulations, and all applicable federal laws, as well as the California Code of Regulations (California Administrative Code, Title 14), the Surface Mining and Reclamation Act of 1975 (SMARA), and the County Planning and Zoning Code.

As with the EA and Decision Record for the bid process and Contracts, the BLM is the federal Lead Agency for the Project implementing the Federal Contracts, and thus it administers the federally mandated environmental review process under NEPA.

The Project also has been the subject of review by other responsible federal agencies, and in particular by the U.S. Fish and Wildlife Service (USFWS). Due to the potential impact on the federally listed endangered unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*), the BLM has taken the lead for compliance with the Endangered Species Act of 1973, as amended, and has conducted formal consultation with the USFWS under Section 7 of the act. The results of the USFWS Biological Opinion, which is a non-jeopardy opinion, will be incorporated into the BLM' Record of Decision on this Project.

The ephemeral streams on the Project site may be jurisdictional "waters of the United States," subject to permitting requirements under Section 404 of the Clean Water Act, 33 U.S.C. § 1344. If the streams are found to be jurisdictional waters, TMC will be required to obtain a permit from the U.S. Army Corps of Engineers (Corps) for the discharge of "dredged or fill materials" into these streams.

The Corps has issued a number of nationwide permits (NWPs) to facilitate the issuance of permits for projects that have minimal impacts on the waters of the United States. NWP 44 specifically authorizes the issuance of permits for the discharge of dredged or fill material into certain nontidal waters of the United States for aggregate and hard rock/mineral mining activities with minimal adverse effects on the aquatic environment. Notification to the Corps district engineer is required for all activities authorized by this NWP.

If TMC is required to obtain a Section 404 permit, the Corps will determine if NWP 44 is applicable to this Project. If this determination is made, the proposed Project will be reviewed by the district engineer to ensure that the proposed work would result in minimal adverse effects on the ephemeral streams. If the Corps determines that NWP 44 is not applicable to this Project, an individual permit application will be submitted to the Corps.

2.2.2 County of Los Angeles Permit Process

TOPICAL RESPONSE ADMIN-2: COUNTY OF LOS ANGELES PERMIT PROCESS

The County of Los Angeles (County) is the local Lead Agency for the proposed Project, with the County Department of Regional Planning administering the state-mandated environmental review process under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA"). The County's Department of Regional Planning has been involved with all aspects of the CEQA process. The County has prepared the DEIR to comply with CEQA and the State CEQA Guidelines (Cal. Code Regs. Title 14, Division 6, Chapter 3, §§ 15000 et seq. ["CEQA Guidelines"]).

The process leading to publication of the DEIR for the proposed Project has included several important steps. One of the steps is the completion of a CEQA Initial Study and issuance of a Notice of Preparation of DEIR. The Notice of Preparation and Initial Study were issued by the Department of Regional Planning in 1991, and were sent to approximately 15 agencies and the State Clearinghouse. Approximately 13 agencies responded. Under CEQA, the Initial Study and Notice of Preparation are the principal methods of determining the scope of technical studies to be undertaken for an EIR.

The proposed Project has also been the subject of a review by the County's Significant Ecological Area Technical Advisory Committee (SEATAC). A portion of the Project site is located within Significant Ecological Area (SEA) No. 23. However, the only Project facilities within the SEA are the water wells

and at-grade piping. No mining or processing will be conducted within the SEA. SEATAC reviewed the Project on May 2, 1994 and all comments by the committee were incorporated in subsequent drafts of the EIR to the satisfaction of the County Regional Planning staff.

Once the administrative version of the Project DEIR was acceptable to the Department of Regional Planning, it was issued to various County Departments for additional review. The first of these departmental reviews occurred in 1995. Upon completion of the review, comments by County departments were added to the DEIR to the satisfaction of the County Regional Planning staff. A second departmental review was conducted in 1998. Comments by the various County Departments resulting from this review have been considered and incorporated as appropriate to the satisfaction of County Regional Planning staff.

Through these reviews and as a result of continuing technical studies, the EIR document was continuously updated since it was begun in 1991. These updates have included a completely revised traffic study to conform to most recent changes in County guidelines and revisions to technical data to reflect changes in methodologies and environmental laws. The DEIR, though including information developed over the long period of preparation, is not dated with respect to analytical techniques, methodologies, and impact standards.

The County has managed the preparation of the DEIR to conform to CEQA and CEQA Guidelines as the County interprets and implements them. CEQA allows such interpretation (CEQA Guidelines, Section 15022). The County has followed a process that has included a favorable response to the City of Santa Clarita's initial request to extend the public review period and has allowed extensive opportunity for the public to comment at the County Planning Commission. As the CEQA process continues, the County is obligated to consider and respond to the comments of other agencies and the public in preparing the FEIR. The County may also take additional testimony at the time it considers the Project for final approval. The Project currently is under consideration by the County Board of Supervisors, which has final decision-making authority for the Project at the local level.

2.2.3 NEPA Process, Project Record and Timeframes

TOPICAL RESPONSE ADMIN-3: NEPA PROCESS, PROJECT RECORD AND TIMEFRAMES

The process leading to the publication of the DEIS for the proposed Project included several important steps. One of the steps was the publication of a notice of intent (NOI) to prepare the DEIS. The NOI was published in the Federal Register on October 16, 1995, and provided interested groups, individuals, and agencies a 30-day comment period. A number of comments were received, which factored into the BLM determining the scope of technical studies to be undertaken for the EIS. These comments lead to examination of the viability and availability of using other sources of aggregate, market requirements, site restoration, and technical evaluation of the impacts of traffic, noise, aesthetics, lighting, air quality, and water resources.

The DEIS was published on May 5, 1999. The BLM initially provided a 60-day period for the public to comment on the DEIS, which was to end on July 5, 1999. The BLM also held two public meetings to take oral comments on the DEIS, at 4:00 p.m. on June 2, 1999, and at 7:00 p.m. on June 2, 1999. At the June 2, 1999 meetings, the BLM announced that it would extend the public comment period on the DEIS to September 13, 1999, in order to harmonize the BLM's public comment period on the DEIS with the local lead agency's (the County's) public comment period on the Draft Environmental Impact

Report (DEIR). On November 17, 1999, the BLM published a Supplement to the Draft Environmental Impact Statement (SDEIS), and extended the public comment period for the DEIS, and the SDEIS, to January 10, 2000. The SDEIS was prepared to address supplemental information on air quality, clarify information on alternatives presented in the DEIS, and to identify the Agency Preferred Alternative (APA).

Following completion of the FEIS, and publication of the Notice of FEIS in the Federal Register, the BLM will publish a Record of Decision on the Mining and Reclamation Plan.

All comments received on the DEIS, SDEIS, and DEIR are included in the Project record, and have helped guide the analysis of potential effects from the Project. All comments received have been thoroughly reviewed, and are addressed in this response to comments section. In addition, changes to the DEIS have been made where particular concerns or clarifications were necessary.

2.3 TOPICAL RESPONSES TO MOST FREQUENT COMMENTS

2.3.1 Project Description

TOPICAL RESPONSE PD-1: PROPOSED PROJECT DESCRIPTION

Aggregate Quantities

The City of Santa Clarita and others raised several issues that relate specifically to the description of the proposed Project. One of these issues relates to the quantity of aggregate to be extracted under the proposed Project.

It was asserted that the Project should have evaluated 64 million tons as the proposed Project, rather than 56.1 million tons since the mining of 64 million tons is reasonably foreseeable. However, the 64 million tons is a theoretical maximum derived from the types of cuts set forth in the mining plan. TMC is limited by the terms of its leases to 56.1 million tons. See Topical Response CUM-1, Cumulative Project Analysis for further discussion of reasonably foreseeable activities.

However, the mining of 64 million tons of material at the site is really not foreseeable or predictable as an aspect of the proposed Project due to the following factors:

- TMC does not own minerals at the site. TMC does not hold contracts for the remaining 7.9 million tons.
- Before any applicant can mine the remaining 7.9 million tons of sand and gravel, BLM would have to first sell the minerals, subject to prior NEPA review.
- It is speculative at this time whether or not BLM will sell the remaining 7.9 million tons of mineral material.
- If BLM were to sell the remaining 7.9 million tons, there is no guarantee that TMC would be awarded the contract.
- A new or supplemental EIS would be required for the revised mining plan.
- New permits by local agencies will be required for any mining that occurs beyond 56.1 million tons.

However, the BLM does not ignore the 7.9-million-ton difference between theoretical project design and the Federal Contracts. The BLM has evaluated the impacts of mining the 7.9 million tons as a cumulative project (a potential closely-related future action).

It should be noted that the Agency Preferred Alternative, the RNFSA Alternative, would involve slightly different amounts of mined materials. However, the reasons discussed above concerning the scope of the Project Description are applicable to this alternative.

Reclamation Plan Implementation and Responsibility

The DEIS indicates that the implementation of final restoration and conversion to the end use may be delayed if the future mining occurs on the site. At least one letter suggested that this statement indicates that the site will not be reclaimed. While the statement on page 2-27 of the DEIS is correct, it should not be construed to prevent site reclamation. The Applicant is responsible for concurrent reclamation of the site in accordance with the Mining and Reclamation Plan and as required by SMARA.

As discussed in the DEIS, the Applicant's Reclamation Plan includes concurrent reclamation of mining slopes and the North Fines Storage Area as mining progresses. This reclamation will be accomplished in accordance with the Reclamation Plan as presented in Section 2.2 of the DEIS and as contained in the Mining and Reclamation Plan. The Reclamation Plan incorporates open space as the end use after mining. If future mining activity were to occur at the site, a new Reclamation Plan would need to be approved and the proposed end use would be superceded by the proposed end use in the new Reclamation Plan. If this occurs, the impact on the ultimate open space use would be due to a subsequent activity, not the proposed Project. The subsequent mining operator, not TMC, would be responsible for reclamation of its activities and mitigation of any impacts through processing of a new Reclamation Plan and/or compliance with environmental and land use laws in effect at that time.

Production Capacity and Project Phasing

Several comments asserted that the production levels in the various Project phases were not representative of actual or most-impacting rates of production. Though there may be some flexibility in production estimates as noted in the DEIS, the estimates actually represent an optimum rate of extraction and production. The planned annual production of 2.1 million tons of material during Phase 1 represents a high production level for a single site by mining industry standards. The annual production of 4.2 million tons of material during Phase 2 represents a high level by mining industry standards. These estimated production levels are derived through engineering design and operating experience, and are a function of the amount and capacity of the mining equipment, hours of operation, and quality of the material encountered, as well as other factors.

TOPICAL RESPONSES PD-2: PROJECT OBJECTIVES

Some commentators argue that the Project objectives were stated in a manner that limits the range of alternatives considered in the EIS. BLM is required to rigorously explore and objectively evaluate all reasonable alternatives. The range of alternatives for a project is determined by the factual and legal parameters surrounding a given project. The range of reasonable alternatives is further developed through public input during scoping and refined during the review of the Draft EIS. For this Project, the parameters include the Federal government contracts on which the Proposed Action is based, the policies and regulations of the State of California with respect to designation of valuable minerals, the objectives of the County of Los Angeles with respect to implementation of land use policies of its

General Plan, and the demand for aggregate products in the region. These parameters establish constraints on the range of alternatives that the BLM could reasonably consider for the Project. It is not the case that the BLM purposefully limited the range of alternatives considered, but rather that the particular constraints of the Project identified above permitted the consideration of a specific range of reasonable alternatives.

In developing the objectives and the alternatives for the proposed Project, the BLM considered not only what is explicitly required by NEPA, but also considered the previous relevant decisions by public agencies that affect use of the site. Previous decisions have included designation of the site as a Regionally Significant Construction Aggregate Resource Area by California Division of Mines and Geology (that designation included processing of a CEQA EIR), and the decision by the Federal Bureau of Land Management to sell sand and gravel resources at the site (which included processing of a NEPA Environmental Assessment). These other decisions have a significant bearing on the BLM's permit action on the site. This is the reason that alternative uses of the site other than mining were not considered in detail. These previous decisions represent legal processes and statements of facts that affect the BLM and Applicant's ultimate use of the site, not arguments that prejudice the analysis. Further, the BLM has met the "rule of reason" requirement by providing detailed analysis of a reduced mining alternative. See Topical Response ALT-1, Analysis of Alternative Locations, for further discussion of this issue.

TOPICAL RESPONSES PD-3: CONTRACT ROYALTIES

A brief discussion of the Project's Contract Royalties is included in Section 1.1.2.4.

2.3.2 Land Use - Relationship to City of Santa Clarita

TOPICAL RESPONSE LU-1: RELATIONSHIP TO CITY OF SANTA CLARITA

Comments were received concerning the significance of the geographic relationship of the Project site to urbanizing areas within the City of Santa Clarita and other important areas and projects.

The DEIS provides information about proposed developments and provides City of Santa Clarita boundaries, the location of Canyon Country, and other communities on maps in the DEIS (see Figures 1.2-1, 1.2-2, 1.2-3, and 1.2-4). The DEIS also provides a discussion of the County General Plan and Area Plan information on designated land uses in a wide area around the Project, and acknowledges the location of Canyon Country. This information is located in Section 1.2, General Setting and Section 1.4, Relationship to Non-BLM Policies, Plans, and Programs. Not all of this information was reproduced for Section 3.1.12.1, which is the Affected Environment discussion for Land Use. Information relative to the six annexations has been added to the FEIS in Section 3.1.12.1, Land Use Affected Environment.

While the BLM agrees that land use conflicts may occur with residential uses and industrial uses, the DEIS has provided analyses to quantify the extent of impacts on the surrounding uses. There is a distance of approximately 1 mile between the proposed active mining areas and the closest residential developments. Under standards used throughout California and the United States, a 1-mile buffer exceeds the reasonable planning criteria for separation of residential and industrial uses involving production of sand and gravel and is comparable to the setback provided for such highly intrusive uses

as airports. The specific impacts on existing developments that are closer to the Project site include mitigation measures to alleviate any potential significant impacts (such as noise barriers, berms, dust control, and others).

The City's comments identify a "strong development trend" in the eastern portion of Santa Clarita and the anticipation of a sphere of influence adjustment that would encompass the Project site. While the BLM acknowledges this trend, the BLM notes the land use policies and regulations imposed by state law (Title 14, California Code of Regulations, §3550.9) relative to the subject site's mineral resource designation. This law identifies protection of known mineral resources from encroachment by incompatible land uses, consistent with the existing mineral resource designation. The County's General Plan includes language to this effect.

The DEIS provides an analytical approach to the assessment of the Project's environmental impacts. The proposed Project will not be seen, heard, or felt from most areas within the Santa Clarita Valley; consequently, the many areas of the Santa Clarita Valley were not included in the area of potential Project impacts. The DEIS did analyze Project visual impacts closer to the Project site. Section 3.1.10, Visual Qualities provides 46 pages of descriptive information and analysis, including 18 exhibits, which characterize the visual environment in and around the Project site. See also responses to the letter from the City of Santa Clarita.

TOPICAL RESPONSE LU-2: INDUSTRIAL CHARACTER OF PROJECT SITE

Comments were received regarding the timing of the Project proposal in relation to encroaching residential development. Many stated that the proposal should have been brought to the County 5 or 10 years ago, that the current trend for the area is residential development.

Industrial Character of Project Area

Regardless of when the proposed Project would have come before the public (whether 5 years ago, or at present), there has been mining and industrial development in the immediate Project area along the Santa Clara River for more than 20 years including recent project approvals and expansions of existing projects.

The following existing mining operations are located within the vicinity of the Project:

Curtis Sand and Gravel Company and Vulcan (P.W. Gillibrand previously owned the site and then sold its interest to CalMat Co. Subsequently, Vulcan Co. purchased CalMat Co.) operate existing quarries near Lang Station. Sweetwater Aggregates has operations at its Lang facility. Pending a change in the current economic climate, Sweetwater Aggregates may increase operations. Other existing uses in this area include a concrete batch plant (National Redimix), an asphalt plant (Industrial Asphalt), a small topsoil supply operation, and a former oil recycling facility (Lubrication Company of America).

C.A. Rasmussen Company has a quarry located due south of the Project site. Monk Stone Industries currently mines anorthosite from the adjacent area east of Area B and south of the river. Vulcan has obtained approval of a mining operation in the Angeles National Forest within a 13,500-acre claim area south and southwest of the Project site. The U.S. Forest Service and the County exercise land management within Vulcan's proposed mining area through their respective land use plans. Final approval of the Reclamation Plan for this project was secured from the California State Mining and Geology Board in early 1996.

In addition to the TMC Project, the following surface mining applications are currently on file with the County Regional Planning Department:

- C.A. Rasmussen Company has filed an application for expansion of its quarry south of the TMC Project site.

- CalMat's (now Vulcan's) Agua Dulce Quarry is located east of the proposed TMC Project site, between Soledad Canyon Road and Antelope Valley Freeway. Vulcan Company proposes to excavate construction-grade aggregate from the Agua Dulce site.

- Curtis Sand and Gravel plans to mine an adjoining property east of the Project site. However, a portion of this area is within TMC's current Federal Contracts area. To the extent the proposal contemplates mining or reclamation on the Federal Contracts area, it is not feasible, because it would violate recent U.S. District Court orders confirming TMC's exclusive right to mine sand and gravel on the Federal Contracts area.

Proximity of Other Mining Project Areas to Residential Land Uses

TMC has operated a project near the City of Moorpark since 1993. The project is similar in size to the Soledad Project and has most of the same major components. The Moorpark project boundary is located within several hundred feet of residences. As with the Soledad Canyon Project, most of the mining at the Moorpark project is not in the line of site to nearby residential locations. Consequently, the issues relating to compatibility are primarily related to truck traffic. The access route used by the aggregate haul trucks to and from the facility is fronted by approximately 14 homes and/or equestrian facilities.

TMC maintains good relations with its neighbors and minimizes land use conflicts in several ways. First, TMC responds quickly to any concerns voiced by its neighbors. Second, a recent permit process completed in 1996 ensures that the project is properly conditioned, and TMC maintains compliance with all of the 122 project conditions. Permit conditions are in place to limit truck speed and the use of noisy "jake brakes" near the residential locations. Access to the site by trucks prior to or after the approved hours of operation is also strictly enforced by TMC. Third, the few complaints received by TMC are quickly resolved. TMC has received only five complaints over six years at this facility, all related to a specific truck related event (such as speeding, or use of jake brakes near residences). Drivers are allowed to receive only two warnings prior to being permanently removed from the shipping operation. Fourth, TMC is a committed member of the local community and provides support to the local schools and neighbors when they need material, provides all maintenance of the access road shared with residents, and ensures that employees are active in the local community.

TOPICAL RESPONSE LU-3: LAND USE CONFLICTS

Concerns were raised that the proposed mining Project would conflict with nearby residential development and residential development proposed for the adjacent Bee Canyon site. The assessment of land use compatibility and conflicts can be better understood by a discussion of several planning policies and the relationship of these policies to each other and to the Project.

The Relationship between Federal, SMARA, County and City of Santa Clarita Land Use Planning Policies

U.S. Department of Interior, BLM - The BLM's South Coast Resource Management Plan (RMP) and Record of Decision (adopted May 1994) provide land use decisions and resource management guidance in accordance with federal laws, regulations, and BLM policies for the South Coast area, including Los Angeles County. The RMP analysis for salable minerals (sand and gravel) incorporate the comprehensive regional analysis of supply and demand for aggregate minerals in southern California prepared by the California Division of Mines and Geology. The RMP concludes that there is a high demand for the sand and gravel at the project site (BLM California Desert District, South Coast Proposed Resource Management Plan and FEIS, November 1992, pg 116 - 121). The South Coast RMP Record of Decision designated all BLM public lands including split estate as available for mineral material sales unless specifically prohibited by existing or future withdrawal.

SMARA - The Surface Mining and Reclamation Act of 1975 (SMARA) includes specific requirements that are pertinent to land use compatibility/incompatibility for the TMC Project site. The Project site has been formerly designated by the State Mines and Geology Board (SMGB) as a Regionally Significant Construction Aggregate Resource Area.

This state designation means that local planning agencies must assist in the management of land use that affects designated areas and emphasize the conservation and development of the identified area (SMARA Article 4: Section 2762). All cities and counties are required to incorporate Regionally Significant Designation information into their General Plans. Lead agencies must adopt statements of policy, recognizing the importance of these identified mineral resources, and they must develop implementation procedures. These procedures may include the imposition of conditions upon incompatible land uses in and surrounding Mineral Resource Zones. Implementation includes at least one of the following:

- Use of special-purpose overlay zones, mineral resource/open space zoning, or any other appropriate zoning that identifies the presence of identified mineral deposits and restricts the encroachment of incompatible land uses in those areas that are to be conserved;

- Record, on property titles in the affected mineral resource areas, a notice identifying the presence of identified mineral deposits; and/or

- Impose conditions upon incompatible land uses in and surrounding areas containing identified mineral deposits for the purpose of mitigating the significant land use conflicts prior to approving a use that would otherwise be incompatible with mineral extraction.

SMGB also developed land use categories to guide local governments in establishing land uses on or adjacent to lands that have been designated as regionally significant, such as the TMC Project site. These land use categories are as follows (CDMG 1987b):

- Incompatible - land uses inherently incompatible with mining and/or require public or private investment in structures, land improvements, and landscaping that may prevent mining because of the greater economic value of the land and its improvements. Examples of incompatible uses include, but are not limited to, high-density residential, low-density residential with high unit value, public facilities, geographically-limited but impact-intensive industrial, and commercial.

- Compatible - land uses inherently compatible with mining and/or require a minimum public or private investment in structures and land improvements and that may allow mining because of the relative economic value of the land and its improvements. Examples of compatible uses include very low-density residential (e.g., one unit per 10 acres), geographically-extensive but low-impact industrial, public/commercial recreation, agricultural, silvicultural, grazing, and open space.

In addition, the local planning agencies must balance the mineral resource value against alternative land uses and consider the importance of the mineral resources to their market as a whole, and not just their importance to the local agencies' area of jurisdiction. Prior to permitting a use that would threaten the potential to extract mineral resources in the state-designated area, local planning agencies must prepare a statement specifying the reasons for permitting the proposed use and forward a copy to the State Geologist and the SMGB for review in accordance with SMARA.

County of Los Angeles - The County's Santa Clarita Valley Area Plan (adopted in February 1984 and revised in December 1990), which is a component of the County General Plan, and the County zoning ordinances provide planning policy for unincorporated County areas including the Project site. The County policy is consistent with the state policy concerning Regionally Significant Construction Aggregate Resource Areas. Specifically, the County General Plan policies must protect known mineral resources and reserves (including sand and gravel) from encroachment of incompatible land uses (County 1990).

City of Santa Clarita - The Project site is located outside of the City of Santa Clarita boundary and outside of its sphere of influence (SOI); therefore, the existing land use planning policies remain under federal, state, and county jurisdiction. The site may be included in a future proposal for eastward extension of the SOI, subject to approval by the Los Angeles County Local Agency Formation Commission (LAFCO).

Compatibility of Land Uses for Site and Adjacent Properties

Project Site Local Land Use Designations and Zoning - Under County regulations, the majority of the Project site is designated as an HM (Hillside Management, nonurban where slopes exceed 25 percent) area on the land use policy map of the Santa Clarita Valley Area Plan. This area is also zoned M-2 (Heavy Manufacturing) by the County, which allows for mineral extraction activities through a surface mining permit and a Reclamation Plan. The proposed mining and extraction of aggregate to be used in construction are permitted uses in this area with a surface mining permit issued by the County in accordance with the requirements of the County Code. After the permit is granted, the Project would be fully consistent with the current local zoning of the parcels involved.

Adjacent Abutting Property Land Use Designations and Zoning - Apparent inconsistencies exist within local County planning and local, federal, and state planning for areas adjacent to the Project. The update of the Santa Clarita Valley Area Plan (December 1990) allows consideration of a mobile home park in a portion of adjacent Bee Canyon through the submittal and approval of a Specific Plan. Yet in apparent contradiction, the Area Plan also states the objective of encouraging mobile home parks to locate in residential areas, where zoning permits, and to specifically exclude them from industrial areas that would include M-2 designations (such as the Project site). The Area Plan also goes on to state that HM areas are classified as "nonurban" where slopes generally exceed 25 percent. A portion of Bee Canyon next to the TMC Project site is comprised of these steep slopes.

As discussed above, CDMG has identified both compatible and incompatible land uses as a guide to local governments in establishing land uses on or adjacent to lands that have been designated as Regionally Significant mineral resource areas. Incompatible uses include both high- and low-density residential uses such as placement of a mobile home park in Bee Canyon.

Bee Canyon is located immediately west and northwest of the Project site between the Antelope Valley Freeway and Soledad Canyon Road. This large, relatively flat area is mostly vacant with one abandoned residential site. In 1990, the County adopted an update to the Santa Clarita Valley Area Plan. This update has allowed for submittal of an application for a Specific Plan for a mobile home park in Bee Canyon, adjacent to the TMC's Project. Along with these changes, the County land use designation for this area changed from HM to Urban 1 (U1, 1.1 to 3.3 dwelling units per acre). Current zoning remains A-2-1 (Heavy Agriculture, 1-acre minimum lots).

Several versions of the proposed mobile home park have been proposed since 1988. At a County Regional Planning Commission hearing in January 1996 for a 958-unit plan, the Applicant for the Bee Canyon project requested postponement without discussion, and the item was continued off calendar. The staff report analyzing that 958-unit project prepared by the County Regional Planning Department recommended denial of the project. A revised Specific Plan for Bee Canyon was submitted to County Regional Planning (August 1996) and another following that submittal. The current proposal is for a 550-unit project.

In land use conflicts between urban development and mineral resources, it is important that the significance of the mineral resources be recognized and that their potential loss (if unrecoverable) be evaluated (SMARA Sections 2762, 2763). The CDMG has identified the Project area as an area of regional significance that is known to contain mineral deposits. Furthermore, under SMARA, the extraction of minerals from such an area is of prime importance in meeting future needs for minerals, and that, if developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local significance (SMARA Section 2726).

According to the County's General Plan, known mineral reserves are to be protected from encroachment of incompatible land uses. The Project site is zoned M-2 for Heavy Industrial and has been designated as a Regionally Significant Construction Aggregate Resource Area.

Under SMARA (Public Resources Code Section 2762[a]), a Lead Agency's land use decisions must be in accordance with its mineral resource management policies. These policies must include (1) recognition of mineral resource information classified by the State Mining and Geology Board, (2) assistance in management of land uses that affect areas of regional significance, and (3) emphasis on conservation and development of identified mineral deposits. In accordance with SMARA (Public Resource Code Section 2762[d]) any local planning agency that proposes to approve incompatible uses on or around state-designated mineral resource areas must have those uses reviewed by the state. The local planning agency is required to submit a statement specifying the reasons for permitting proposed land uses that may compete with or threaten the development of economically important, designated regionally significant mineral resources. Furthermore, the local agency is required to utilize at least three of five implementation procedures to recognize and protect these resources (California Code of Regulations, Title 14, Section 3676). Specifically, conditions may be imposed on incompatible land uses to mitigate significant land use conflicts prior to local agency approval of the incompatible use.

The Santa Clarita General Plan shows the land use designation for the southern portion of the site to be RE (Residential Estate, 0.0-0.5 dwelling units per acre). The City's General Plan designates the area adjacent to the Santa Clara River BP (Business Park). The plan does not recognize the existing uses of mining in the Project vicinity.

TOPICAL RESPONSE LU-4: GENERAL PLAN CONSISTENCY

The local Santa Clarita Valley Area Plan (as updated on December 6, 1990) designates the portion of the proposed Project property north of Soledad Canyon Road, where the mining operation is proposed as Hillside Management (HM). Within hillside management areas future development is intended to occur in the most suitable and least environmentally sensitive areas and designed in terms of scale and intensity in a manner compatible with the natural resource values and character of the area.

The portion of the subject property south of Soledad Canyon Road is designated as Floodway/Floodplain (W) along the Santa Clara River, which bisects the southeasterly corner of Area B. Project processing facilities and water resource extraction would be developed in Area B north of Soledad Canyon Road and north of the Santa Clara River. The Santa Clara River parallels the road on the south side. With the floodway, or watercourse itself, the Area Plan recommends that only certain extractive industrial (such as sand and gravel), agricultural, open space, light recreational and groundwater recharge) uses be facilitated. The mining area is located in Area A, north of Soledad Canyon Road and away from the Santa Clara River.

The Environmental Resources Management Element of the Santa Clarita Valley Area Plan contains the following statement regarding the need to protect and conserve minerals:

> *"Protect important mineral resources by a long-range approach toward mineral resource utilization."*

The Land Use Classifications of the Area Plan indicate that "Mineral extraction uses such as quarries" are "appropriate" and considered a "typical" use for rural, non-urban hillside management areas.

The 1980 County General Plan Conservation and Open Space Element contains the following detailed statements regarding the need to protect and conserve mineral resources (sand and gravel):

> *"A continuous and assumed supply of minerals for industrial production, construction, transportation and chemical processing is essential to Southern California's economic well-being. Major local mineral resources consist of oil and deposits of rock, sand and gravel."*
>
> *"California is the largest producer of sand and gravel in the nation, and the greater Los Angeles area (an area within a 60-mile radius of downtown Los Angeles Civic Center) is the nation's leading producer for its geographic size."*
>
> *"The County has several deposits of high quality sand and gravel which are located close to the market and available at low costs. The main uses of these products are: portland cement concrete; asphaltic concrete aggregate; base and sub-base aggregate; and clean fill. Sand and gravel are basic materials for the construction of homes, commercial and industrial buildings, sewers, dams, bridges and highways."*
>
> *"Major sand and gravel extraction sites are found in the alluvial fans of the Big Tujunga Wash in the San Fernando Valley and in the San Gabriel River (Irwindale and adjacent areas). Other sites are in the Santa Clara River and Little Rock and Big Rock Washes in the north County. The average annual production for the period 1971-1975 for the greater Los Angeles area was 44.5 million tons. Known sand and gravel reserves, defined as commercially recoverable*

deposits, in the Los Angeles area were estimated at 1,315 million tons in 1976. These reserves will reach depletion shortly after the turn of the century if current patterns of consumption continue."

"In the past, valuable sand and gravel reserves have been lost when incompatible urban uses have encroached upon productive areas. To ensure adequate supplies for future production, these resources must be protected and conserved. On the other hand, mineral operations should not be abandoned and left as a scar on the environment. Depleted excavations and drilling sites should be reclaimed for beneficial uses or restored to a natural condition. It is also important to evaluate the extent and commercial potential of additional rock, sand, and gravel deposits in the County. The State of California is now conducting such an investigation, the results of which will permit better identification of sites for preservation and production."

The CDMG published a series of original reports dated from 1979 to 1987 that cover studies of six separate aggregate production-consumption (P-C) regions for production periods of 1960 through 1979/80. In 1994, the CDMG published an update report that covers the production period from 1980/82 through 1992 for the County. The 1994 Technical Report is included in Technical Appendix G of the DEIS.

The CDMG report notes that aggregate reserves in the San Fernando Valley P-C Region will be depleted by 2001 (CDMG Open File Report 94-14). Based on this estimate CDMG concluded that between 4 to 15 million tons per year of aggregates will need to be supplied by the Saugus-Newhall and San Gabriel Valley P-C Regions (CDMG letter dated September 10, 1999). Thus, the San Fernando Valley P-C Region will become increasingly dependent on the Saugus-Newhall and San Gabriel Valley P-C Regions to meet its needs. Based on the 1994 CDMG Report, the combined reserves for these three regions are about 543 million tons, and the combined consumption rate for the three regions is about 90 percent of the total of the County. At the projected rates presented in the CDMG report, the combined 1994 reserves for the three regions could be depleted by approximately 2012. Also, the County will need to permit an additional 845 million tons of aggregate resources to maintain a 20-year supply for the years from 2015 to 2034.

The Project site has been designated by the State as Regionally Significant for mining since 1987. The TMC Project will serve to meet these needs and is consistent with the County General Plan. In addition, the site has been subject to a previous mining operation under a previous County-issued CUP, but no reclamation of the previous operation has occurred. The site currently has approximately 45 acres that remain disturbed, and there are no financial assurances in place to ensure that reclamation will ever occur. With regard to large, near vertical cliffs on the site left by the previous mining operations, the CDMG has stated that the only land use options that will bring about recontouring of the site are continued mining or a massive grading project. The TMC mining program will rectify the need for recontouring and avoid the expense of a massive grading and revegetation project. The proposed TMC Project will be subject to the conditions of reclamation as set forth in a Mining and Reclamation Plan which is undergoing County review. In addition, TMC has posted a $1,400,000 performance and reclamation bond to ensure that reclamation will occur if the Project is approved.

2.3.3 Water Rights/Resources

TOPICAL RESPONSE WR-1: LOCATION OF WATER WELLS

Several comments requested clarification of the location of the water wells proposed for the Project and the ownership of the property on which the wells will be developed.

On Page 1-23 and again on Page 2-25, the DEIS states that water resources for the Project will be developed from three wells located in Area B and southwest of Area B. The wells will be positioned to extract water from the subsurface flow/alluvial aquifer of the river, but will not be located within the 100 year flood plain of the river and will not require disturbance of riparian vegetation for construction. The location of existing well PW-2 and the locations of proposed wells PW-3 and PW-4, as well as the water delivery pipeline, are shown on Figure 2.1-4. The DEIS also states that the area southwest of Area B is owned by the C.A. Rasmussen Company and is under nonexclusive lease to TMC. The proposed water wells for the Project will be constructed on property owned by the C.A. Rasmussen Company in the Project's Area B and southwest of Area B.

TOPICAL RESPONSE WR-2: HYDROGEOLOGICAL CONDITIONS IN THE VICINITY OF THE WELLS

Many of the comments submitted indicated that clarification of the hydrogeologic conditions in the vicinity of the Project and the methods used to assess these conditions would be helpful.

Hydrogeologic conditions in the vicinity of TMC's proposed pumping wells are discussed on pages 3-52 through 3-63 of the DEIS. On Page 3-52, the DEIS states that the only source of water for the Project is the "alluvial aquifer formed by the deeply entrenched river channel." Figure 3.1.2-5 illustrates the relationship of geologic units in the vicinity of the site. As shown on Figure 3.1.2-5, the alluvial aquifer (Qal) of the Santa Clara River traverses Pre-Tertiary Bedrock (Br), by which the alluvial aquifer is bound and underlain. As defined in the referenced GWSI report, the Pre-Tertiary Bedrock consists of crystalline igneous rocks assigned to the Pre-Cambrian-age Basement Complex.

Also shown on Figure 3.1.2-5 are the locations of fifteen cross sections (MG-MG' through OG-OG') constructed to evaluate the thickness and distribution of alluvial materials of the Santa Clara River through the Project area. The cross sections were generated using data obtained from the seismic exploration program discussed on Page 3-52. Aquifer parameters related to the capacity of the alluvial materials to store and yield water were determined by analysis of the data obtained from the drilling program (also discussed on Page 3-52) and three years of monthly groundwater elevation monitoring, the results of which are presented in Table 3.1.2-6 on Page 3-60. Complete discussions of the methodologies employed for the hydrogeologic assessment of the Project area are presented in the referenced GWSI and WTI reports in support of the Application to Appropriate and were provided to reviewers of the DEIS on request.

TOPICAL RESPONSE WR-3: SURFACE FLOW VERSUS SUBSURFACE FLOW

Considerable misunderstanding of the relationship between surface flow and subsurface flow was apparent in a number of the comments submitted.

As discussed on Page 3-55 of the DEIS, the Santa Clara River in the vicinity of the Project is classified as an intermittent stream because surface flow in portions of the river is discontinuous over the course

of a water year. However, the flow of water in the Santa Clara River in the vicinity of the Project has two forms: surface flow and subsurface flow. Surface flow is the visible, above ground flow of water that follows the course of the river bed, generally during the winter months and, depending on the reach of the river, for a few months into spring/summer or continuously throughout the year.

The other form of flow in the river is subsurface flow. The riverbed is underlain with porous alluvial materials that comprise the aquifer of the river and have the ability to both store and transmit water. Subsurface flow is the flow of water through the alluvial materials. Surface flow and subsurface flow in the Project reach of the river are interrelated and hydraulically connected.

Generally speaking, surface flow represents the portion of the recoverable water from precipitation on the watershed that exceeds the storage capacity of the alluvial aquifer of the river. While it is true that runoff from rainfall on the watershed can travel a limited distance across unsaturated materials when the intensity of rainfall exceeds the infiltration rate of the aquifer, under normal conditions initial flows generated by rainfall will saturate the alluvial aquifer before continuous surface flow is seen.

When the alluvial aquifer becomes saturated to the level of the river's low flow channel the alluvial aquifer begins discharging its contents into the river and sustained flow begins. During the dry season, in some reaches of the river, the elevation of the saturated alluvial materials falls below the elevation of the discharge channel (low flow channel) and surface flow disappears in that reach of the river. Subsurface flow, however, continues as long as the alluvial aquifer has a saturated zone and a gradient exists. Subsurface flow is governed by the hydraulic conductivity (permeability) of the alluvial materials and the slope (gradient or variation in elevation) of river bottom or base of the alluvial materials. The overall slope of the Santa Clara River bottom or base of alluvium is to the west. In some reaches of the river, such as at the Pole Canyon Fault shown on Figure 3.1.2-5, the river bottom rises above elevation of the river bottom upstream due to geologic conditions, and forces water above the elevation of the low flow channel in that reach of the river producing surface flow. These areas are often referred to as reaches of "rising water." Surface flow may again disappear downstream where the elevation of the saturated alluvial materials falls below the discharge elevation of the river. Reaches of the river where surface flow disappears into the alluvial materials are often referred to as reaches of "sinking water."

The dynamic relationship between surface flow and subsurface flow is a characteristic common to many, if not most or all, inland river systems in Southern California. Subsurface flow as described above is also known as underflow and is considered to be part of the surface flow under California Water Law. Diversion of surface flow, therefore, includes extraction of subsurface flow (or underflow) by pumping.

TOPICAL RESPONSE WR-4: SEASONAL FLOW

Many of the comments submitted expressed concern that the Project's water consumption would result in a significant reduction in the amount of water available for recharge of the aquifers in the downstream Eastern Hydrologic Subarea (HSA), particularly in the vicinity of the Newhall County Water District's Pinetree wells and private wells in Sand Canyon.

The climate in the vicinity of the Project is described on Page 3-35 of the DEIS as "Mediterranean." Mediterranean climates are characterized by wet and mild or cool winters and hot, dry summers. The majority of rainfall in the Project area's watershed occurs during the winter months and, consequently, the preponderance of the surface flow observed in the Santa Clara River in the Project reach of the

river also occurs during the winter months. Review of Table 3.1.2-4 on Page 3-56 of the DEIS reveals that surface flow in the Project reach of the Santa Clara River is at a minimum at the end of the summer (September) and that flow increases steadily through the autumn months reaching its maximum level at the end of the winter (March). A significant point to be made from this observation is that the majority of surface flow in the Project reach of the river occurs during the winter months when, during normal or wet water years, the alluvial aquifer of the river is fully saturated and is discharging. Downstream reaches of the river in the Eastern HSA, which receive runoff from a much larger watershed and from urban sources, would similarly be fully saturated during the winter months of a normal or wet water year. Because of this, a relatively small volume of the annual flow exiting Soledad Canyon is expected to serve as recharge to aquifers in the Eastern HSA.

The Castaic Lake Water Agency (CLWA) recognized this aspect of the water cycle in their February 1998 publication *Integrated Water Resource Management Plan Water Supply and Demand Evaluation*, where stream flows exceeding the storage capacity of the alluvial aquifer are "estimated to be wasted to the ocean." The CWLA February 1998 further discusses aquifer management strategies to "minimize the loss of local water to the ocean." Project water consumption is consistent with the water management strategies presented in CLWA's February 1998 document, and should be considered a beneficial use of water resources that may otherwise be lost.

TOPICAL RESPONSE WR-5: HYDRAULIC ISOLATION

Several of the comments submitted have suggested that the Project's proposed water consumption will draw down the Pinetree wells operated by Newhall County Water District, and wells in areas as far, and as hydraulically isolated as Agua Dulce, Acton and Sand Canyon.

The alluvial aquifer of the Santa Clara River in the vicinity of the Project exists in a narrow channel in Soledad Canyon, bound and underlain by relatively impermeable igneous rocks. The river channel follows a meandering path through the canyon, winding its way past two "horseshoe" bends in the channel between the eastern boundary of the Project's Area B and the western end of the alluvial channel where the river exits Soledad Canyon. These geologic and geomorphic conditions hydraulically isolate the alluvial channel of the river in the Project area from upstream groundwater basins in the Acton and Agua Dulce areas and from the downstream Eastern Groundwater Basin of the Santa Clarita Valley. The meandering nature of the river channel further isolates the alluvial channel in the Project area from upstream and downstream reaches of the alluvial channel itself. For the purpose of extracting water from the subsurface flow of the river in the Project area, the impermeable sidewalls, impermeable river bottom (base of alluvium), and river meanders limit the direct effects of pumping to the relatively close proximity of the extraction well.

It is not possible for an extraction well or wells in the Project vicinity to draw water from aquifers in the Santa Clarita Valley, the Agua Dulce area or the Acton area.

TOPICAL RESPONSE WR-6: PRECIPITATION - WET YEAR/NORMAL YEAR VERSUS PROLONGED DROUGHT

A number of the comments submitted appeared to evaluate water resources under prolonged drought conditions only. Although prolonged droughts do occur, it is no more realistic to evaluate water resources on drought years alone than it is to evaluate water resources on particularly wet years. Long-term weighted averages must be considered. During normal and wet years there is sufficient precipitation on the watershed to meet Project demands without endangering the unarmored threespine stickleback habitat and, as noted above, without interfering with the recharge of downstream aquifers.

The amount of precipitation falling on the watershed in the vicinity of the Project varies seasonally and from water year to water year. As discussed on Pages 3-35 through 3-48, the weighted average annual rainfall for the Acton Valley Subunit is 13.22 inches per year based on the 100 Year Normal Isoheytal Map presented as Figure 3.1.2-3. As is also discussed in this section, the weighted annual average rainfall in the western portion of the Acton Valley Subunit is 14.22 inches per year. Multiplying the average annual rainfall by the area of the western portion of the Acton Valley Subunit yields an annual water crop of 52,295 acre-feet as shown in the on page 3-46. Estimating recoverable water at 4 to 12 percent yields 2,092 to 6,275 acre-feet per year available for recharge of the alluvial aquifer from the watershed of the western portion of the Acton Valley Subunit alone. The total recoverable water for the entire Acton Valley Subunit is estimated at 4,431 to 13,292 acre-feet for the long-term weighted annual average rainfall.

It is recognized that along with normal and wet rainfall years there will be dry years and occasionally prolonged drought. For this reason, TMC has developed a Water Shortage Contingency Plan (WSCP), which is referenced in Section 3.1.2.3 and is included in the referenced report *Answer to Vested Rights Protest vs. Application No. 29967.* TMC has also developed a Habitat Monitoring Plan and a Habitat Protection Plan that calls for reduction of water extraction for the protection of the Unarmored Threespine Stickleback. The Habitat Protection Plan is included in Appendix F6 of the DEIS.

TOPICAL RESPONSE WR-7: WATER SHORTAGE CONTINGENCY PLAN

As indicated in Section 3.1.2.3 of the DEIS, TMC has committed to implement a WSCP consistent with the WSCP agreed upon by the water purveyors serving the Santa Clarita Valley. This Plan will be implemented under prolonged drought conditions when water supply projections indicate a deficiency. TMC has submitted the WSCP to the SWRCB-DWR in *Answer to Vested Rights Protests vs. Application No. 29967.* The WSCP calls for a staged reduction in water usage dependent on the severity of the potential shortage.

TOPICAL RESPONSE WR-8: PROJECT'S POTENTIAL EFFECTS ON WATER RESOURCES

Sources of Water for the Project

It should be clarified that the Project will use surface water, including subsurface flow, based on both riparian and appropriative rights. This information is presented in detail in Section 3.1.2 of the DEIS. As noted on page 3-52 of the DEIS, TMC conducted detailed investigations of the availability, adequacy, and reliability of the water resources from the Santa Clara River. The DEIS discusses in detail (pages 3-51 through 3-62) the findings of these investigations, which demonstrate that sufficient surface water flow, combined with alluvial aquifer levels, exists to support extraction from the Santa Clara River.

Additional and more detailed discussion is presented in referenced reports GWSI, WTI and *Answer to Vested Rights Protests vs. Application No. 29967.*

Comments Regarding Potential Overdraft

Some commentators have stated that the Santa Clara River is already in overdraft. At this time, there is no indication that the alluvial aquifer of the Santa Clara River in either the upstream Action Basin or the downstream Eastern Basin is in overdraft. Reference is made by several commentators to Table III-7 of the Santa Clarita Valley Water Report for 1998, which indicates that groundwater production for the

alluvial aquifer of the Santa Clara River has consistently exceeded what has been conservatively estimated as the perennial yield of the alluvial aquifer during dry years. However, on page 7 of the same 1998 report, the authors refer to the data presented in Table III-7 as evidence that "the Alluvial Aquifer can produce more water during average or wet years than the annual perennial yield of 32,500 acre feet without consequence," which indicates that the alluvial aquifer is not in overdraft.

In addition, the Santa Clarita Valley Water Report for 1999 states that, "On a long-term basis, there is no evidence of any historic or recent trend toward permanent water level or storage decline. In general, throughout the alluvium, groundwater levels have been generally higher over the last 20 years than was consistently the case for the preceding 30 years (i.e., the 1950s-1960s)." This trend is attributed in part to a decline in agricultural water use since 1960 and in part to the importation of supplemental water from the State Water Project.

TMC's Riparian Rights

Section 3.1.2.1 of the DEIS indicates that TMC will exercise a riparian right to water. It has been suggested that TMC does not have any riparian rights. However, TMC has entered into a lease agreement with C.A. Rasmussen Co., pursuant to which TMC may utilize Rasmussen's riparian rights to water. There are existing wells on the Rasmussen property that historically have been used to extract water via riparian rights. Accordingly, suggestions that geological formations beneath the Project site are "non-water bearing" are irrelevant. TMC is proposing to extract water from the alluvial channel of the Santa Clara River not from beneath the Project site. In addition, a preliminary letter from the SWRCB, Division of Water Rights indicates that the water in the alluvial channel of the Santa Clara River in the vicinity of the Project is subterranean flow which indicates that this is subject to SWRCB's jurisdiction and permitting process. If these waters are not subterranean flow, and are percolating groundwater, TMC would have the right to extract this water as the lessee of the overlying landowner. Clarification of the subsurface water system in the vicinity of the Project's extraction wells will be made by the SWRCB, Division of Water Rights.

It should be clarified that any exercise of riparian rights by TMC would be subject to the interests of other water rights in the area, including public trust rights, prescriptive rights, and other interests. These interests were considered in the development of TMC's overall water strategy for the Project.

TMC's Appropriative Rights

TMC has applied to the SWRCB for a permit to appropriate water from the Santa Clara River. Thus, as discussed previously in this response, and as detailed in Section 3.1.2 of the DEIS, TMC has assessed the availability of water in the Santa Clara River in relation to current uses of water from the river. The SWRCB, Division of Water Rights will consider TMC's application to appropriate water, as detailed in Section 3.1.2 of the DEIS, and further explained in Topical Response WR-9.

Impacts to Sensitive Habitats and Mitigation

It has been suggested that the DEIS does not account for impacts to sensitive habitats other than impacts to the unarmored threespine stickleback. This is not the case. TMC identified potential significant impacts on local sensitive ecological habitats during dry months of dry years. Mitigation measure WR1 provides for TMC to conduct a monitoring program for water resources and sensitive ecological habitats in the Project vicinity, pursuant to the Habitat Protection Plan. In addition, TMC will be

bound by permit conditions of its SWRCB permit to appropriate water, as well as the terms of the Water Shortage Contingency Plan submitted to the SWRCB, Division of Water Rights. These issues are discussed on page 3-70 of the DEIS.

Relation of Biological Opinion to Water Rights

The Biological Opinion ("BO") for TMC's Application (Appendix F11) concluded that the "proposed Project is not likely to jeopardize the continued existence of the unarmored threespine stickleback." The BO sets forth a number of terms and conditions that provide for TMC to cease pumping water from the alluvium of the Santa Clara River if stated action levels are reached. In addition, the BO provides for further consultation if incidental take or other effects not contemplated in the BO occur.

Relation of Habitat Protection Plan to Water Concerns

The Habitat Protection Plan (Appendix F-6) identifies a number of mitigation measures designed to protect the UTS habitat. Under the plan, action levels provide thresholds that will trigger management for the mining operation to reduce or stop pumping. Accordingly, potential threat to UTS habitat caused by the Project would be identified by the monitoring and mitigated by the action protocols set forth in the Habitat Protection Plan.

Commentators who conclude that the Habitat Protection Plan does not provide for adequate protection for UTS habitat are referred to the specific provisions of the plan. As stated on page F6-17, "a decrease of 25 percent of more of mean water depth is a reasoned approach to arrive at an action level." The action levels for the Habitat Protection Plan represent a conservative, reasoned approach to protecting the quality of the UTS habitat as verified by the Biological Opinion for the Project. Specifically, the action level for a decrease in mean water depth is based on observations in the Project area over three years, including a drought period. Measured natural drop in depth over a 1-month period in the proposed monitoring reach showed a range of between 15 to 32 percent. Therefore, coupled with the other action levels of water temperature, oxygen level, and stream flow, a decrease in 25 percent mean water depth is well within the natural fluctuations of the river. The monitoring program is based on clear action levels and will maintain the UTS habitat. In addition, the preface to the action levels provides for clear action by TMC when a problem due to TMC's Project has been identified. The Habitat Protection Plan commits TMC to specific standards for problems within its control; TMC is not obligated to remedy problems over which it has no control. For further discussion of the plan's specific provisions, refer to Appendix F of the FEIS Technical Appendix.

Public Trust and Endangered Species Act Concerns

Based on mitigation measures set forth in the FEIS, the terms and conditions of the BO, as well as applicable provisions of the Habitat Protection Plan, the UTS and its habitat have been afforded ample protection to insure that no applicable provisions of the public trust doctrine or the Federal Endangered Species Act will be violated.

Specifically, the monitoring program contained in the Habitat Protection Program for the Project will measure critical habitat parameters of the UTS. Clearly articulated action levels for the habitat parameters specified in the plan are above the critical requirements of the UTS. Monitoring and use of these actions levels for water quality and quantity will ensure that the integrity of the UTS habitat is maintained per the conditions of the non jeopardy Biological Opinion for the UTS for this Project.

TOPICAL RESPONSE WR-9: ROLE OF THE STATE WATER RESOURCES CONTROL BOARD - DIVISION OF WATER RIGHTS

Several commentators have raised concerns that insufficient water resources exist for TMC to obtain appropriate water rights. As discussed in the DEIS, the SWRCB has broad powers to administer the terms and conditions of water use in the state. In relation to TMC's proposed Project, the appropriative use of water from the Santa Clara River will be subject to a beneficial use analysis as well as an assessment of water necessary to protect fish and wildlife resources. The Department of Fish and Game will be notified by the SWRCB, and shall recommend the amount of water required to preserve fish and wildlife resources in the Project area. Cal. Water Code § 1243. Furthermore, the SWRCB will assess whether the water that TMC seeks to appropriate is reasonable and in the public interest.

In a letter dated October 7, 1999, the SWRCB, Division of Water Rights, determined that there is a sufficient basis to consider TMC's Application No. 29967 to Appropriate Water from the Santa Clara River. During this proceeding, comments may be made to the SWRCB concerning this application by TMC. The SWRCB will consider all protests and relevant information in its consideration of this Application.

The SWRCB will ensure that any application granted to TMC will not impair water availability for instream maintenance and downstream users with prior rights. The SWRCB may provide for the restriction or curtailment of use when necessary to affect other water users and interests. Also, in its consideration of TMC's application, the SWRCB will consider water requirements for fish and wildlife preservation, and may impose conditions on TMC's application providing for mitigations to protect habitat or populations. The Department of Fish and Game shall recommend water levels required to protect fish and wildlife resources to the SWRCB.

In the DEIS, water availability and use in the area has been carefully assessed to determine the available water resources, as well as possible impacts due to TMC's possible utilization of water for its Project. However, it is the role of the SWRCB, Division of Water Rights to address applications to appropriate water, with specific focus on impacts to other users. Accordingly, it is appropriate for the final assessment of water availability and impacts to be determined before the SWRCB, Division of Water Rights.

2.3.4 Water Quality

TOPICAL RESPONSE WQ-1: NO PROCESS WATER SILT PONDS (SETTLING PONDS) ASSOCIATED WITH PROJECT

Many of the water quality comments related to the operation of siltation ponds and concerns with potential breaching of the ponds resulting in discharge of process water to the Santa Clara River. Concerns were raised that the discharge of process wastewater would affect water quality in the Santa Clara River, and have adverse impacts on the downstream habitat of the unarmored threespine stickleback and other beneficial uses.

The proposed Project will not discharge wastewater to the Santa Clara River and no process water silt ponds/settling ponds are planned for the Project. The water system proposed for the processing of aggregate is discussed on page 2-23 and 2-24 of the DEIS. The system proposed is designed to conserve water and "represents a state-of-the-art recycling system." Water used for washing sand and

gravel product will be collected and fed into a clarifying tank and treated with environmentally safe flocculating agents to assist settlement of fine particles. Clarified water will flow across a weir at the top of the tank and be returned to the process system for reuse. Solids will be collected and blended with excess natural fines from aggregate dry-screening processes for placement onsite as engineered fill. As discussed on page 3-17 of the DEIS, the silt ponds shown on Figure 3.1.1-5 are those abandoned by previous mining activity and are not part of the proposed Project.

Since there will be no silt ponds used for the Project and process waste water will not be discharged to the Santa Clara River, there will be no water quality impacts from these sources.

TOPICAL RESPONSE WQ-2: STORMWATER DEBRIS BASINS

Several comments were made with regard to the desilting/debris basins planned for the Project. Although it is clearly stated in the DEIS that the debris basins will be used to control stormwater runoff and that siltation ponds for process wastewater are not part of the proposed Project, it was evident from the nature of the comments that confusion exists regarding the purpose of the desilting/debris basins.

Stormwater runoff from the Project will be controlled by the construction of seven debris basins. The drainage concept for the Project is discussed on Page 2-9, Pages 3-79 through 3-86 and again on Pages 3-108 through 3-112. The locations of the proposed Project's desilting/debris basins, which are intended to control stormwater runoff from operational mining, materials processing, maintenance, and fines storage areas are shown on Figure 3.1.3-4 of the DEIS. Each of the desilting/debris basins is located north of Soledad Canyon Road and at elevations well above the 100-year floodplain of the Santa Clara River (see Figure 3.1.3-2). As stated on Page 2-9, the Los Angeles County Department of Public Works (LADPW) will review and approve the final design of the Project's debris basins after the Project is approved and prior to the construction of the basins.

As discussed on page 3-80 of the DEIS, the desilting/debris basins will be designed for the 50-year capital flood event in accordance with the guidance presented in the Los Angeles County Hydrology and Sedimentation Manual. According to the current Los Angeles County Hydrology and Sedimentation Manual, the LADPW considers the design requirements for the 50-year capital flood to meet or exceed Federal Emergency Management Agency standards for a 100-year storm because burned and bulked peak flow is utilized.

Since the desilting/debris basins will not be used for process wastewater and will be constructed to the LADPW standards with the oversight of the LADPW, the basin designs and locations are considered adequate for the Project. LADPW has had the opportunity to comment on the design of the basins and will condition the Project to correct any perceived deficiencies.

TOPICAL RESPONSE WQ-3: STORMWATER POLLUTION PREVENTION PLAN

Various comments were submitted regarding the potential impacts on Santa Clara River by Project runoff contaminated with hazardous materials used and stored at the site. Since there are no process wastewater discharges, the only discharge from the Project will be stormwater runoff. Stormwater contact with potential pollutants from facility operations is addressed at length in the Water Quality section of the DEIS.

As discussed on Page 3-109 of the DEIS, stormwater discharges are regulated by the federal Clean Water Act through the National Pollutant Discharge Elimination System (NPDES). The regulations

adopted under the NPDES program allows authorized states to issue general permits to regulate stormwater discharges. The California State Water Resources Control Board has issued NPDES General Permit CAS 000001 (General Permit) pursuant to Water Quality Order No. 97-03-DWQ. The General Permit is administered by nine Regional Water Quality Control Boards (RWQCB).

The General Permit requires facility operators to:

- Eliminate non-stormwater discharges;
- Develop and implement a stormwater pollution prevention plan (SWPPP); and
- Perform visual monitoring and sampling of stormwater discharges;

A SWPPP has been prepared for the Project in accordance with the requirements of the General Permit and is presented in Technical Appendix B1 of the DEIS. The SWPPP has identified potential sources of pollutants to stormwater and describes stormwater management practices that were selected to reduce or eliminate the potential pollutants identified from stormwater runoff. Stormwater management is incorporated into the facility design and includes controls such as:

- Sedimentation and erosion control structures (desilting/debris basins);
- Covering and/or containing hazardous materials storage and use areas;
- Training of facility personnel;
- Preparation of a Spill Prevention, Control and Countermeasures Plan.

Facility operators relying on coverage of the General Permit to comply with the requirements of the Clean Water Act must submit a Notice of Intent (NOI) to the appropriate RWQCB (Los Angeles) and comply with annual reporting requirements. The annual reporting requirements include visual observations of stormwater runoff and laboratory analyses of stormwater samples. A Draft NOI has been prepared for the Project and is attached to the SWPPP in Appendix B1. A NOI will be submitted to the Los Angeles RWQCB at least thirty days prior to the beginning of operations.

In addition, the Los Angeles RWQCB has issued NPDES permit CAS614001 by Water Quality Order 96-054 to the County of Los Angeles.

Implementation of the SWPPP is expected to mitigate potential impacts to the Santa Clara River by runoff of stormwater contaminated by facility operations. The monitoring and sampling required by the General Permit and detailed in the SWPPP are considered adequate to identify contaminants in stormwater and protect the water quality of the Santa Clara River.

TOPICAL RESPONSE WQ-4: SPILL PREVENTION, CONTROL AND COUNTERMEASURES PLAN

Concerns were raised with regard to the storage and use of hazardous materials at the Project site. The use and storage of hazardous materials are regulated at the local, state, and federal levels.

The storage of petroleum products above certain thresholds requires the development of a Spill Prevention, Control, and Countermeasures (SPCC) Plan. The SPCC Plan is discussed on Pages 3-108 through 3-112 of the DEIS and is contained in the Technical Appendices (Appendix B2) of the DEIS. The SPCC Plan was prepared in accordance with 40 CFR, Part 112 and the California Health and Safety Code, Chapter 6.67, §25270 and will be implemented as Mitigation WQ3.

The SPCC Plan details measures to prevent and respond to accidental releases associated with Project operations, such as a ruptured hydraulic line on earth moving equipment. This includes maintenance procedures, inspection procedures, secondary containment requirements, spill and leak response procedures, and notification procedures. In the event of a release of a reportable quantity of a hazardous material at the site, the local Fire Department, Environmental Health Department and the state Office of Emergency Services must be notified immediately and further notification of the California Environmental Protection Agency must made within 24 hours. The SPCC Plan provides telephone numbers for notification purposes and for all emergency responders required to contain and abate a release.

In addition to the SPCC, a Business Plan for Hazardous Materials Management (Business Plan) is required by the local enforcement agency. A Hazardous Materials Inventory is also included in the Business Plan and must be updated at intervals specified by the local enforcement agency. In the unincorporated areas of Los Angeles County, the Los Angeles County Fire Department is responsible for hazardous materials at industrial facilities and currently requires the Hazardous Materials Inventory to be updated on an annual basis.

2.3.5 Public Health and Safety

TOPICAL RESPONSE PHS-1: HEALTH EFFECTS OF DUST RAISED FROM BLASTING AND GRADING OPERATIONS

Comments raised concerns over a number of potential health issues related to dust that would be raised from Project operations. To understand the effectiveness of control measures and the regulations that the Project will be required to comply with, a brief overview of the Project operations and control measures and regulations is presented. A discussion of other health concerns is presented in Topical Response PHS-2.

Sources of Dust from Operations and PM10 Dust Control Measures

Dust suppression for the Project would occur in part with the use of chemical dust palliatives, which are materials that control dust and have binding characteristics. Chemical dust palliatives will be applied primarily to dirt roads, and, to a limited extent, gravel-surfaced roads. Water will be used to control dust on stockpiles of aggregate. Some water may be applied for prewetting the dirt access roads to compact and prepare road surfaces before application of the dust palliative.

Dust palliatives have been shown to have dust control efficiencies in excess of 80 percent. Dust control agents dampen and penetrate the surface causing fines to stay in place and aggregate particles to hold together. They also are formulated to hold moisture better than soil.

The FEIS details the sources of dust emissions, and control measures and efficiencies in Section 3.1.7.3 and Appendix E2. Section 3.1.7.3 of the Air Quality Section presents specific mitigation that is applied to all sources of dust emissions and the control efficiencies based on industry standards, the SCAQMD CEQA Handbook, AP-42, and SCAQMD Permit conditions. A summary is presented below.

- Heavy Equipment Emissions - Because the material will be excavated from subsurface materials, no control efficiencies are applied.

- Conveyor Systems - Values include the use of covered transfer points controlled by negative pressure vented to a bag house augmented by water or surfactant spray in the main plant area. Resultant fugitive dust emissions are projected to be roughly equivalent to those produced by covered conveyors.

- Rock and Sand Processing and Concrete Plant Operations - Control efficiencies have been included in the fugitive dust calculations in accordance with SCAQMD permit application requirements.

- Onsite Truck Travel - Onsite truck travel includes travel on both paved and unpaved roads. The onsite roadways to the aggregate facility and to the batch plant will be paved. The control efficiency for these paved roadways is dependent on the ability to remove silt from the road, and application of twice-daily watering followed by immediate broom-truck sweeping of these roads to control the fugitive dust kicked up by the vehicles' tires. The control efficiency is conservatively estimated to result in a 90 percent control. Onsite travel also includes material movements over unpaved onsite surfaces. Mitigation includes regular application of a chemical dust suppressant with demonstrated control efficiency in excess of 80 percent.

- Offsite Truck Travel - The importance of keeping both the onsite paved and unpaved roads dust-free serves to reduce dust from being carried onto Soledad Canyon Road as trucks leave the site, assuring compliance with both SCAQMD Rules 402 and 403 as well as AB 3220, Clapton 1486. Additionally, the implementation of wet spray during truck loading of sand and broom-truck sweeping of the roadway as the trucks leave the site will further reduce dust.

- NFSA Activity - Fugitive emissions from equipment activity in this area will be controlled with water spray with a control efficiency in excess of 50 percent.

- Wind Erosion - While inactive areas will be controlled by dust suppressants with an efficiency in excess of 80 percent, by Project design, active areas will receive water spray with an efficiency of at least 50 percent. Because more area will be inactive than active at any one time, an assumed 75 percent control efficiency is applied to the site as a whole.

- A semi-stationary "fines" conveyer will be used in the NFSA. Transfer points on the conveyor will be controlled by wet suppression. The conveyor significantly reduces PM-10 that would otherwise be associated with scraper hauls.

- Blasting - Blasting will be performed onsite to loosen conglomerate materials. A typical blast may involve approximately 17,600 cubic yards of conglomerate sand and gravel material. Approximately 0.5 pounds per cubic yard of the explosive agent ammonium nitrate/fuel oil (ANFO) will be required to loosen the material. Charges of 200 pounds each will be detonated, with a typical blast event using 44 charges or 8,800 total pounds of ANFO.

  Blasting will occur 2 times per week during Phase 1, and 4 times per week during Phase 2. No more than one blasting event would occur during one day. Blasting will add 1.7 pounds per day (for those days of blasting occurrence), which is 0.7 percent of the total PM-10 emissions of Phase 1 and 0.5 percent of the total PM-10 emissions associated with Phase 2.

Dust is further controlled by adherence to SCAQMD rules and regulations which govern operations during windy conditions. Additional discussion on this is provided below under the heading "Project Compliance with SCAQMD Fugitive Dust Control Plan."

Wind Speed Data

Many are concerned about the lack of wind speed data through the Project area and potential health effects due to blowing dust. Commentators have also expressed concerns with respect to wind levels and patterns in the area close to the site.

A more thorough discussion of wind patterns, while edifying, would not change the level or results of the analysis. However, the California Air Resources Board notes that based on 13 years of data at 24 observations per day (112,223 total observations), the predominant winds in the Saugus area (the nearest monitored area) blow from the east by southeast with an average speed of 3.7 miles per hour (mph). Secondary prominent winds blow from the north by northwest with an average speed of 6.4 mph. Prominent winds are highest during the summer and blow out of the west by northwest with an average speed of 6.4 mph while secondary winds are highest during the spring and come from the west with an average speed of 7.5 mph (California Surface Wind Climatology, California Air Resources Board, Aerometric Data Division, Reprinted February 1994). It should be noted that the overall average wind speeds do not preclude the presence of very low or high wind speeds, especially during Santa Ana conditions. These Santa Ana conditions, which are prevalent in Southern California from the fall through spring, with an average five to ten occurrences per year, can create strong south-flowing winds.

Those pollutants, which are projected to remain significant for the daily thresholds and are subject to Ambient Air Quality Standards (including the combined total of PM-10 from both dust and onsite exhaust emissions), were modeled using the most current accepted version of the Industrial Source Complex Short Term (ISCST) model. The Ambient Air Quality Standards are based on concentration levels developed by a panel of doctors and experts in the field of health care and consider the maximum allowable concentrations with a margin of safety that a typical person can tolerate with no ill effects. Because these levels are based on maximum concentration levels, a worst-case scenario occurs at minimum wind speed and maximum atmospheric stability. High winds disperse pollutants and therefore reduce predicted concentrations leading to lower ambient concentrations.

Project Compliance with SCAQMD Fugitive Dust Control Plan

While high winds may generate more dust, the Project includes mitigation and is subject to SCAQMD rules and regulations which govern operations during windy conditions. As noted in the document, Project construction and subsequent operations are subject to SCAQMD Rules 402 and 403. While Rule 402 relates to visual nuisance, Rule 403 sets conditions specific to dust control that the Applicant must observe. While an operator need not shut down operations, Rule 403 (2) (A) sets forth a series of conditions which must be observed when wind speeds reach 25 mph. These conditions include the submission of a "High Wind Fugitive Dust Control Plan" to be submitted by TMC to the SCAQMD for approval. The SCAQMD being the local regulatory and permitting agency with respect to air quality will then determine what additional measures must be followed or if operations are to be curtailed.

TOPICAL RESPONSE PHS-2: OTHER HEALTH CONCERNS

Valley Fever

Many commented that the proposed Project would contribute to outbreaks of Valley Fever in the Santa Clarita Valley area.

Valley Fever is primarily a disease of the lungs that occurs in the southwestern United States and northwestern Mexico. It is caused by the fungus *Coccidioides immitis*, which grows as a mold in soils that are sandy and high in salt, in areas of low rainfall, high summer temperatures, and moderate winter temperatures. These fungal spores become airborne when the soil is disturbed by winds, construction, farming, and other activities. In susceptible persons, infection occurs when a spore is inhaled. Within the lung, the spore changes into a larger, multicellular structure called a spherule. The spherule grows and bursts, releasing endospores. Each released endospore has the capacity to develop into mature spherules.

In California, the risk of infection is highest from June through November, and persons the most susceptible are those who work directly with the soil, including workers in construction, agricultural, archaeology, and others working with disturbed desert soils. The fungal spores are distributed unevenly in soil and are most abundant in soils around rodent burrows, Indian ruins, and burial grounds. It is also very important to note that the spores are usually found 4 to 12 inches below the surface of the soil, and typically in soils that have not been disturbed. In addition, the spores are susceptible to ultraviolet light and will not survive on the ground in direct sunshine (Valley Fever Center for Excellence, personal communication, 1999). These may be key in determining relative risk of the Project site as a contributor to Valley Fever (Galgianai 1993; Kirkland and Fierrer 1996; Snyder and Galgianai 1997).

The TMC sand and gravel mining operation would be disturbing 187 acres of soil over approximately 20 years. The amount of surface disturbance during the life of the mining will be in the range of 15 acres per year. Once the top 12 inches have been excavated, the active mining operations pose little risk to the public and site workers since it is extremely unlikely to find spores deeper than 12 inches below the surface. Further, the per year surface acreage to be disturbed at the Project site, when compared to other grading operations for development in the area, is significantly less than the projections for surface disturbance for individual area-wide residential developments.

Additionally, most of the area of surface disturbance is located on the south side of the ridge in areas which receive strong, direct sunshine and some of the mining will occur in an area of previous disturbance. Because spores are most likely to occur in undisturbed areas and are susceptible to ultraviolet light, these factors reduce the potential for the spores to occur on the TMC Project site.

Asthma

Asthma is a chronic disease caused by inflammation and swelling of the small airways in the lungs. When the airways become swollen and congested with mucus, muscle spasms around the airways block the normal flow of air, causing patients to cough, wheeze, and have difficulty breathing.

For reasons not fully understood, the bronchi of some people are hypersensitive to certain environmental "triggers." Exposure to these triggers can cause asthma attacks in people with asthma. These are called asthma triggers. There are two basic types of asthma triggers, allergic triggers, also known as allergens, and non-allergic triggers. Allergic triggers include molds, animal dander, house dust mites, cockroaches, some food additives, and some medications. Non-allergic triggers include tobacco and wood smoke, chemicals, perfumes, and outdoor air pollution.

Most exposures are believed to occur within the home and indoor environments. However, recent studies with children have found that children with asthma are more affected by severe air pollution than children without asthma.

Ambient air quality standards are designed to protect public health and safety including sensitive receptors such as asthmatics. The Project has been found to be consistent with the AQMP and in conformance with the SIP. Therefore public health and safety will be protected by compliance with applicable regulations and consistency with these plans.

Silicosis

Within rock processing operations, minerals can be released that are lung irritants. The mechanism for such action results when the immune system tries to rid the body of such inhaled substances. When the mineral crystal is unusually shaped, the human body may inadvertently damage its own lung tissue because the immune system attacks the foreign substance too aggressively. Long crystalline needles or sharp-cornered cubic crystals are the primary potential problems.

Needles are found in rock formations such as serpentine which contain asbestiform minerals. There is little serpentine in the San Gabriel or San Bernardino Mountains, and asbestos needle crystals are not a major concern in Southern California aggregate operations. Crystalline silica is found around rock plants, but not in concentrations that would trigger silicosis responses in either onsite employees or the offsite general public.

A detailed review of the silicosis issue around rock plants was undertaken for the proposed Webster Quarry project in the Santa Ana River between Redlands and Highland. The San Bernardino County Health Department and the Department of Environmental Medicine at the University of California, Irvine, concluded that the only identified risk is for occupational exposure, not to the public. Occupational exposure is controlled by the federal Mine Safety and Health Administration (MSHA). The OSHA Permissible Exposure Limit (PEL) for crystalline silica is 10 milligrams of respirable dust per cubic meter of air (mg/m^3). MSHA's position on crystalline silica is that as long as occupational standards are met within plant boundaries, the additional dispersion during transport from the plant to the surrounding community will correspondingly protect health.

Since silicosis requires an overexposure to crystalline silica, it is almost exclusively limited to cases involving workers who work in high silica dust environments. Some examples of industrial activities which pose the greatest risk for worker exposure include abrasive blasting, mining activities involving cutting or drilling through sandstone and granite, grinding ceramics, clay and pottery, stone cutting, glass etching, and agricultural field operations. Even in these operations, silicosis is 100 percent preventable with the implementation of basic dust control measures to reduce worker exposure to less than the OSHA Permissable Exposure Limit (PEL) of 10 mg/m^3 of crystalline silica.

The modeling results for Phase 2 of the Project result in an average annual concentration of total PM10 at the Project boundary of approximately 0.01 mg/m^3 (10 $\mu g/m^3$), which would result in a crystalline silica concentration of less than 0.0005 mg/m^3. This is 20 thousand times less than the PEL for crystalline silica. Thus impacts related to crystalline silica would not be significant.

Conjunctivitis

The discussion below is from the American Optometric Association.

Conjunctivitis is an inflammation of the conjunctiva, the thin, transparent layer that lines the inner eyelid and covers the white part of the eye. There are three main types of conjunctivitis, infectious, allergic, and chemical. The infectious type, commonly called "pink eye," is caused by a contagious

virus of bacteria. Individual allergies to pollen, cosmetics, animals or fabrics can cause allergic conjunctivitis. Irritants like air pollution, fumes, and chlorine in swimming pools may produce the chemical form.

Common symptoms of conjunctivitis are red watery eyes, inflamed inner eyelids, and a scratchy feeling in the eyes. Mucus may be present in bacterial or viral infections, but is not reported as a symptom of allergic or chemical conjunctivitis. Allergic and chemical conjunctivitis exhibit symptoms similar to hay fever.

In most cases, conjunctivitis is caused by bacterial or viral infections. The incidence of air pollution induced conjunctivitis is so low that it is not expected to be of any concern in the Project area.

2.3.6 Geotechnical

TOPICAL RESPONSE G-1: GEOTECHNICAL ASPECTS OF PONDS AND SILT PILE

The silt ponds and silt pile south of Soledad Canyon Road were created by previous property owners and are not located within an area of any future mining operation by TMC. Accordingly, other parties are responsible for the silt pond and silt pile and no remedial measures are considered by TMC in these areas. The presence of these entities will not affect TMC's operations. The Project would not affect the silt ponds and/or silt pile. Additionally, TMC's proposed plans that incorporate offsite drainage include the addition and/or expansion of culverts that divert additional drainage around these areas.

TOPICAL RESPONSE G-2: SEISMIC, LIQUEFACTION, AND SLOPE STABILITY

Seismicity

The Project site is located in an area of active and potentially active faults, as is all of metropolitan southern California. Active faults present a variety of potential risks to structures, the most common of which are strong ground shaking, soil densification and liquefaction , mass wasting, and surface rupture along fault traces.

Generally, the following four factors are the principal determinations of seismic risk at a given location:

- Distance to seismogenically capable faults.
- The maximum or "characteristic" magnitude earthquake for a capable fault.
- Seismic recurrence interval, in turn related to tectonic slip rates.
- Nature of earth materials underlying the site.

Surface rupture represents a primary or direct potential hazard to working areas and structures built on an active fault zone. There are no known active or potentially active faults trending toward or through the site, and the site is not located within a defined State of California Earthquake Fault Zone or other official geologic hazard zone. Accordingly, the potential for direct surface fault rupture occurring on this site is considered to be very low.

Ground shaking is judged to be the primary hazard most likely to affect the site, based almost solely upon proximity to nearby active and potentially active faults. Greater distances, lower slip rates, and lesser maximum magnitude earthquakes indicated much lower risk to the site from other faults not mentioned above.

No permanent structures are proposed for the subject mining Project. Seismicity information was derived to determine potential ground shaking impacts one might encounter during the life of the Project. This information was also used for seismic evaluations and the subsequent determination of an appropriate "k" value for pseudostatic slope stability analyses.

Liquefaction

The onsite granitic masses and deposits of the Vasquez Formation are considered non-liquefiable. As mentioned in the DEIS, the potential for liquefaction regarding the silt pond in Area B is reduced by the presence of a compacted road berm that will prevent any spreading of material into the Santa Clara River. Additionally, if any extremely unlikely affects of liquefaction were to occur, TMC would maintain heavy earthmoving equipment onsite that could make any necessary repairs to the area. The potential for liquefaction within the Santa Clara River bottom would be no more susceptible than it is now.

Slope Stability

Numerous slope stability evaluations have been performed for both temporary and final proposed slope configurations, including evaluations regarding the proposed North Fines Storage Area. These analyses were conducted for both static conditions and pseudo-static (seismic/earthquake) conditions. These analyses have been conducted over a period of approximately ten years. Many of the pseudo-static slope stability have been re-evaluated, largely due to the 1994 Northridge Earthquake. Additionally, slope configurations have changed with time, which has also required re-evaluation. Where unfavorable slope stability evaluations were demonstrated, the slope configuration was altered (flattened or shortened) to where acceptable factors of safety are indicated. These reports have been on file at the Los Angeles County Department of Public Works as well Transit Mixed Concrete offices during the public review process. The paramaters used for the slope stability analyses are presented in the slope stability reports. Additionally, it is important to note that all of these reports have been previously reviewed by the Division of Mines and Geology (DMG) and also reviewed and approved by the Los Angeles County Department of Public Works (LADPW) prior to this public review process. Based upon the results of our analyses, no potential slope stability problems are anticipated.

TOPICAL RESPONSE G-3: GEOLOGIC IMPACTS OF WATER USE

Groundwater is intended to be collected and utilized by TMC during the life of the Project within the Santa Clara River area. Natural recharge of these areas is also anticipated during the life of the Project. Geologic hazards associated with groundwater withdrawal and recharge include liquefaction and ground subsidence (settlement). No structures are proposed within the Santa Clara River bottom within the Project area and accordingly, the potential of liquefaction and ground subsidence onsite is not an issue.

Studies indicate that the amount of water proposed to be utilized by TMC within this area is relatively small in comparison to its total volume. Groundwater withdrawal, if significant, would subsequently lower the groundwater table and would either have no impact or reduce the potential of offsite liquefaction. Also, the Santa Clara River bottom soils have been exposed to repeated cycles of wetting and drying and are coarse grained in nature. These cycles have produced repeated episodes of natural consolidation. As such, the potential of any adverse subsidence down stream offsite has been considered to be very remote.

2.3.7 Transportation

TOPICAL RESPONSE T-1: TRAFFIC ANALYSIS TECHNIQUES

The methodology of the traffic analysis was developed in conjunction with the Traffic & Lighting Division of Los Angeles County Department of Public Works. The roadways and intersections that were included, as well as the traffic scenarios, were determined as part of the scoping process. The traffic analysis was completed for the Project using County of Los Angeles procedures and standards. The following guidelines and techniques were used in the traffic analysis.

Traffic Impact Criteria - The significance of Project-generated impacts was evaluated using the threshold criteria established by Los Angeles County and listed in the Los Angeles County Traffic Impact Analysis Guidelines.

Signal Warrants - Caltrans signal warrant criteria were applied to the peak hour traffic forecasts to determine if the projected volumes would meet the warrant value.

Levels of Service - The Intersection Capacity Utilization (ICU) method of intersection analysis was used to determine levels of service for the study-area intersections, pursuant to Los Angeles County Traffic Study Guidelines.

The guidelines provide two methods for assessing potential impacts to a two-lane highway such as Soledad Canyon Road: (1) the methodology contained in Chapter 8 of the Highway Capacity Manual, and (2) the volume-to-capacity ratio methodology contained in the guidelines. Analyses of Soledad Canyon Road were completed using both of the methods. The analysis completed by Los Angeles County staff was made based upon Chapter 8 of the Highway Capacity Manual.

Passenger Car Equivalents - The traffic volumes used in the level of service calculations include the truck volumes converted to passenger car equivalents (PCEs) pursuant to Los Angeles County Traffic Study Guidelines. The PCE factor of 2.0 (each truck equals two passenger vehicles) was used. The 2.0 PCE factor is consistent with the Highway Capacity Manual procedures for assessing levels of service at intersections. The PCE factor for two-lane highways is calculated within the software program based upon the parameters provided. The parameters include the grade and length of segment.

Project Trip Generation - Project-generated traffic was estimated based on the operational characteristics of the Project. Trip generation estimates were developed based on the number of trucks required to transport the quantity of materials mined, produced, and the projected demand. The materials required to be imported for the TMC Project were included in the estimates. Employee trips were estimated assuming 4 trips per day per employee. Peak hour inbound and outbound trips were estimated based on operations at similar mining facilities. The truck volumes were converted to PCEs pursuant to Los Angeles County guidelines for level of service and impact analyses.

Trip Distribution - Primary access between the site and the market area is provided by the Soledad Canyon Road interchange and the Antelope Valley Freeway. As a worst case scenario, the traffic analysis assumed that 95 percent of Project traffic would travel to the market area via the Antelope Valley Freeway and Soledad Canyon Road; and 5 percent would use Agua Dulce Canyon Road. The major destinations for the materials shipped from the Soledad site include Santa Clarita Valley, Los Angeles, Hollywood, Sun Valley, and other areas nearby. Thus, most of the daily production will be shipped southbound on the Antelope Valley Freeway.

Future Traffic Volume Forecasts - The analysis assumed development of several Related Projects located in the vicinity of the proposed TMC Project. Pursuant to Los Angeles County Public Works direction, an additional 1.5 percent per year growth factor was applied to the existing volumes to account for development located outside of the project study area.

TOPICAL RESPONSE T-2: IMPACTS TO FREEWAY SYSTEM

Potential impacts to the freeway system were assessed based on the criteria established in the Los Angeles Congestion Management Program (CMP) guidelines.

The CMP guidelines indicate that if a project adds 150 or more trips in either direction during the A.M. or P.M. weekday peak hours an analysis of the freeway operations is necessary. The TMC Project is projected to add 87 A.M peak hour trips and 48 P.M peak hour trips (total of both directions) to the Antelope Valley Freeway south of Soledad Canyon Road. These volumes are well below the 150 peak hour trip criteria, indicating that the TMC Project would not significantly impact the freeway system. TMC Project additions to freeways further south would be less than in the immediate area and are therefore also well below the CMP impact thresholds.

TOPICAL RESPONSE T-3: TRAFFIC INDEX/PAVEMENT IMPACTS

The traffic index (TI) for existing traffic was based upon truck classification data obtained for Soledad Canyon Road. The future TI's were determined based upon the traffic projected for the related projects in the study area and the TMC Project-added truck traffic. The TI analysis methodology is based upon the annual average (every day) truck volumes. The TI table is a logarithmic function, thus when the TI is 8 and above, the number of repetitions needed to change the TI value becomes quite large.

The truck volume assumptions, the existing pavement capacity and the projected change in TI's were reviewed by Los Angeles County staff. The data for this analysis is on file at the County and is available for review.

The pavement analysis was reviewed by Los Angeles County staff and the data upon which they based the Project requirements is on file with the County and is available for review.

2.3.8 Air Quality and Sensitive Receptors

TOPICAL RESPONSE AQ-1: AIR QUALITY AND SENSITIVE RECEPTORS

Many questioned how nearby sensitive receptors would be affected by air quality impacts and stated that the DEIS failed to provide the number of affected residences or types of uses that would be affected.

The air quality analysis notes that some pollutant species will remain significant even with the implementation of the proposed mitigation measures. However, the SCAQMD daily criteria used as threshold levels were promulgated to bring the entirety of South Coast Air Basin into compliance of the Ambient Air Quality Standards by the dates listed in the Air Quality Management Plan. Exceedance of these daily limitations does not mean that receptors will be exposed to unhealthful pollutant levels. This can only be demonstrated by air dispersion modeling. To this end, those pollutants which are projected to remain significant for the daily thresholds and are subject to Ambient Air Quality Standards were

modeled using the most current accepted version of the Industrial Source Complex Short Term (ISCST) model. Methodology, model runs, and graphics are in Technical Appendix E3.

The Ambient Air Quality Standards are based on concentration levels developed by a panel of doctors and experts in the field of health care and consider the maximum allowable concentrations with a margin of safety that a typical person can tolerate with no ill effects. Because these levels are based on maximum concentration levels, the worst-case scenario is minimum wind speed and maximum atmospheric stability. Under these conditions, pollutants "stagnate" resulting in elevated concentration levels. These levels are then projected to the most proximate receptor locations. While high winds may generate more dust, they also disperse these pollutants and therefore reduce predicted concentrations. Thus, the use of low wind speed data more closely approximates worst case conditions than the use of high wind speed data. Furthermore, additional mitigation measures must be implemented for high wind conditions in accordance with SCAQMD rules and regulations (Rule 403 and some of Rule 1186) which govern operations under such conditions.

Section 3.1.7 of the DEIS and FEIS discloses sensitive residential receptors located nearest to the site and most prone to Project impacts. Accordingly, the impact analysis represents the highest level of possible effects. The analysis projects that these proximate receptors will not be impacted.

TOPICAL RESPONSE AQ-2: PROJECT AREA WIND CONDITIONS

Comments were received regarding the lack of wind speed data through the Project area, lack of information on wind patterns, and age of the data.

Data from the South Coast Air Quality Management District (SCAQMD) Newhall Wind Station was used in the air quality section to conduct the dispersion modeling for the Project. The Newhall Wind Station is also referred to as the Santa Clarita Monitoring Station and is located at County Fire Station (24875 San Fernando Road). This is the closest air monitoring station to the site and is in the same air basin as the site. All environmental documents prepared for projects in the Santa Clarita Valley utilize the air quality information from this monitoring station, and utilize the methodologies presented in the SCAQMD CEQA Air Quality Handbook.

The SCAQMD data was used because it includes data for a number of meteorological parameters, not just wind speed. The combination of the data for various meteorological conditions on the same dates for the same period and the prequalification of the data by the SCAQMD are critical to the dispersion modeling process. It should be noted that higher wind speeds do not have a significant impact on the results of this modeling because the maximum predicted concentrations occur during moderate wind conditions.

The meteorological data provided by the SCAQMD is for the year 1981. The data is used because 1981 is the year for which the SCAQMD has mixing height data available. The mixing height data is essential for accurate modeling. All of the data used for modeling must be collected from the same time period. Data for one variable from one year cannot be used with data for another variable from another year. For example, you cannot use 1998 wind data with 1981 stability and mixing data.

SCAQMD strictly enforces air quality regulations and conducts rigid review of CEQA documentation. TMC has and will continue to work closely with SCAQMD staff through the CEQA, permitting and compliance processes.

2.3.9 Noise/Blasting

TOPICAL RESPONSE N/B-1: NOISE AND BLASTING AND NEARBY SENSITIVE RECEPTORS

Comments were received asking for identification of receptors who would be affected by noise and blasting.

There is no need to identify each and every potentially sensitive receptor in the Santa Clarita Valley. The analysis examines a reasonable worst-case scenario that includes those sensitive receptors prone to impact from the Project. Furthermore, the document does discuss impacts at those receptor locations deemed to be subject to potential impacts and applies any proposed mitigation to all receptors.

The analysis of the proposed Project assumed reasonable worst-case conditions in that any potential receptor was assumed to have a direct line-of-site of the Project area and disturbance. In actuality, any intervening terrain would be expected to reduce this noise much in the way that a sound wall reduces noise when it obstructs the view of traffic. While noise can "funnel" through a canyon, there is no way to determine the contribution or reduction to the noise other than to implement the Project at the site and measure the resultant noise levels.

TOPICAL RESPONSE N/B-2: NOISE FROM EXISTING MINING OPERATIONS

The noise criteria cited in the text of the DEIS and FEIS are based on research conducted by acoustics experts in countless studies, including social factors. Through those studies, an average response was noted and compiled. Those noise levels then serve as the basis for local jurisdictions to enact noise ordinances, address noise elements in their general plans, and the noise criteria utilized for analysis of this Project.

Research conducted by acoustics experts through local interviews found that noise sensitivity is a very individualized characteristic. The severity of annoyance is typically based upon whether the person is indoors or outdoors, whether the person is economically dependant on the facility, the basic attributes of the noise (i.e., intensity, spectral characteristics, duration, repetitions, abruptness of onset and cessation) and the presence of ambient background noise. Further, social surveys have shown that other factors such as the degree of interference with current activity, previous community experience with a particular noise, time of day, fear of personal danger associated with the noise source, and the extent to which the populace believe that the noise can be controlled contribute to the annoyance factor.

TOPICAL RESPONSE N/B-3: TRAFFIC NOISE

Noise from trucks is exempt from local regulation when on the road (unless unduly loud due to a bad muffler), but is subject to regulation at the State and federal level and all trucks which access the TMC plant shall be equipped with adequate muffler assemblies as required by law. The potential for the Project to cause increases in the ambient noise is demonstrated though the analysis (in DEIS and FEIS Section 3.1.5) for the vehicle-generated CNEL along Soledad Canyon. Project traffic noise was found to be significant and mitigation is required to reduce the impact at the River's End Trailer Park, the Bee Canyon Mobile Home Park and affected lots along Soledad Canyon to reduce this potential impact to less than significant.

Project trucks will use Soledad Canyon Road to access the Antelope Valley Freeway to the east of the City. Trucks on the Antelope Valley Freeway would not be audible above the din of other vehicles using that route. With the exception of local deliveries of ready-mixed concrete for construction actually occurring in the City of Santa Clarita, there is no need for Project-generated trucks to use the local surface streets in the Santa Clarita area.

2.3.10 Biological Resources

TOPICAL RESPONSE BIO-1: BIOLOGICAL SURVEY PROCESS/HISTORY OF SURVEYS

The biological resources reported in the DEIS reflect the conditions of the Project site as required by NEPA. The studies of biological resources at the Project site began in 1990 and have been updated as necessary through 1995 to establish baseline site conditions and document changes in the site due to natural disturbances and influences such a fire, floods and drought. Evaluations of biological resources were conducted in the entire Project area, including areas designated for all mining operations as well as adjacent sensitive habitats outside of the project area and mining operations.

Biological resources surveys commenced after consulting appropriate local biological databases. Initial plant and animal species lists and habitat evaluations were compiled from site surveys. Additional surveys and detailed biological studies followed the initial reconnaissance to determine potential impacts to biological resources, including federal and state listed species. The surveys and analyses for the biological resources on the site were conducted according to NEPA standards as well as to other pertinent State, Federal and County of Los Angeles requirements. Particular surveys and studies were conducted by persons with the specific education, training and experience in the required discipline, including botany, plant ecology, native plant revegetation, wildlife biology and ecology, herpetology, and ichthyology.

Vegetation maps of the project site and adjacent areas were prepared, and detailed quantitative baseline vegetation surveys were conducted. Results of the baseline surveys were used to develop the revegetation plans for reclamation of the mined areas of the Project. Focused surveys for sensitive plant species were conducted over various years as conditions at the site changed due to natural conditions such as fires and high rainfall years.

General wildlife reconnaissance surveys were conducted initially over the site and adjacent habitats. Additional reconnaissance surveys were conducted to determine if suitable habitat for sensitive species was present on the site or in adjacent areas. Since many wildlife species are difficult to observe, the goal of these surveys was identifying suitable habitat rather than direct observation of the species. Focused surveys, trapping, and/or detailed studies were conducted for species as necessary based on the evaluation of impacts from the Project. For example, a multi-year study was conducted of the unarmored threespined stickleback to determine the extent of impacts and to design comprehensive mitigation measures.

TOPICAL RESPONSE BIO-2: RECLAMATION/REVEGETATION PLAN

The DEIS contains specifications for the reclamation of the Project site. The Reclamation Plan includes specifications for revegetation of the Project area according to requirements of SMARA and the current requirements of the State Divisions of Mines and Geology. The plan includes reclamation processes that are concurrent with mining operations to minimize the area of disturbance during the 20 year life of

the Project. Concurrent reclamation includes revegetation of the North Fines Storage Area each year as areas are filled. Areas of the Project that are not actively being mined will be revegetated during concurrent reclamation. At the end of the Project, all areas will be revegetated as necessary according to the Reclamation Plan.

The revegetation plan for the site was developed from detailed, quantitative surveys of existing conditions on the site. The survey used appropriate standard ecological methods (transects and quadrats) to determine the type of plant communities and specific species that would be used in the revegetation process. The DEIS outlines the revegetation specifications and responsibilities including top soil salvage, site specific seed collection and storage, seeding and container planting, installation and establishment monitoring, performance monitoring and maintenance responsibilities. On approval of the FEIS, the BLM will identify mitigation measures to be incorporated into the Record of Decision (ROD). In addition, the Reclamation Plan will be incorporated into the Project in the ROD.

The DEIS states that the Reclamation Plan will reduce the impacts from the loss of vegetation and wildlife habitat to levels less than significant. Revegetation of aggregate mining sites and other highly disturbed sites has been successfully implemented in southern California. Revegetated sites in southern California have documented use of the sites by sensitive bird and sensitive mammal species as well as common wildlife species. These successful sites support the claim that the mining relcamation and revegetation plan for the TMC Soledad Canyon Project will support many of the common and sensitive species of wildlife after the habitats have become established. The proposed Project incorporates industry standard methods for successful revegetation. Additionally, the plan stipulates that successful new techniques and methods will be continually incorporated into the Project over the 20-year operation period. Finally, the applicant has already posted the required reclamation performance bond to maintain vegetation on the site following completion of the Project.

TOPICAL RESPONSE BIO-3: SANTA CLARA RIVER RESOURCES

The Santa Clara River and its riparian corridor cross the very most southeastern portion of the Project boundary. Neither the river nor the associated riparian corridor is within the proposed mining area. The Santa Clara River and the riparian corridor are separated from the proposed mining area by the existing railroad corridor and Soledad Canyon Road. Since the active mining area is removed from the river corridor by two existing barriers, the mining Project is not expected to obstruct wildlife movement through the river corridor.

The Project proposes to pump water from the alluvium adjacent to the Santa Clara River. Multi year studies on the endangered unarmored threespined stickleback were conducted in the area likely to be effected by the pumping. Monthly monitoring of the river for habitat characteristics was conducted during drought years and after flood flows. A habitat protection plan was developed as part of the mining program and as mitigation for the Project. The plan was developed in conjunction with various federal, state, and local agencies. The plan has been reviewed and accepted by USFWS and SEATAC. The plan specifies monitoring methodology for areas expected to be effected by pumping and for a reference area upstream of the Project. Responses to the monitoring program are tied to specific actions that will protect the habitat of the endangered fish by regulating and/or stopping pumping from the river alluvium. The action levels for the habitat monitoring plan are based on the continued presence of surface flows and the quality of the surface flows in the river. Overall, the action levels for the plan are based on habitat quality requirements that are well within the known requirements for the fish. Therefore, it is expected that the plan will serve to protect the habitat of this endangered species and other sensitive fish and amphibian species as well as the associated riparian vegetation. The plan

specifies annual monitoring of the riparian habitat in the area adjacent to the Project and downstream of the Project. The areas where the pumps are to be located is mainly either sparsely vegetated floodplain scrub or willow scrub. The cone of depression associated with pumping is not anticipated to effect the cottonwood-willow riparian forest habitat either upstream or downstream of the Project based on geotechnical and hydrologic tests.

The habitat protection plan is a monitoring plan with action levels and responses to protect the aquatic habitat and riparian habitat in the Santa Clara River adjacent to the Project site. Action levels to protect the habitat are conservative and responses to the action levels include the cessation of pumping. The monitoring, action levels, and response actions will be subject to review by the appropriate regulatory and resource agencies as the Project proceeds. Factors of the plan such as interval of monitoring and the number of monitoring stations may be adjusted after initial monitoring seasons are reviewed by the regulatory and resource agencies. The plan is designed to be adjusted as necessary to protect the habitat.

2.3.11 Alternatives

TOPICAL RESPONSE ALT-1: ANALYSIS OF ALTERNATIVES

Several commentators have suggested that the range of alternatives considered in the DEIS is inadequate. The alternatives selected for discussion in the DEIS comport with NEPA's mandate on "full disclosure" by identifying an array of alternatives that meet the stated objectives of the Project. For a full discussion of the Project objectives, see Response to Topical Comment PD-2. 40 CFR 1502.13 provides that the purpose and needs section of an EIS "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed Project." The DEIS clearly states that the purpose and need for the Project is to fulfill contractual obligations entered into by TMC with the Federal Government. Under these contracts, TMC is obligated to produce 56.1 million tons of PCC aggregates and to pay the Federal Government $28 million in royalties. Other identified objectives include: meeting the demand for aggregate products, meeting the objectives of the State of California and the County with respect to designation of valuable minerals, as reflected in various state, regional or local regulations, and plans.

The range of alternatives identified for the Project has not been artificially limited by a narrowly stated purpose and need section. Several commentators have suggested that this may be the case. The range of alternatives must be viewed in the context that a prior EA and Decision Record previously was prepared for the competitive bid and Federal contracts pursuant to the settlement of the U.S. District Court litigation with the prior mining operator of the site, which mandated a sale of the minerals on the site. It also should be clarified that the Federal government owns the right to the *mineral estate* at the Project site. The only property interests the Federal government has in the surface estate at the site is in the right of access and occupancy *for mining purposes*. Therefore, the range of activities that the Federal government may feasibly contemplate at the site is limited to those actions that dispose of the mineral estate. Accordingly, the Federal government has no rights to implement or contemplate alternative surface uses of the site. It also should be noted that the EA and Decision Record prepared for the competitive bid and Federal contracts also analyzed alternatives to the bid, including the no Project alternative.

The scope of TMC's contract with the Federal government stems directly from the property interest that the government has in the site. That is, TMC has contracted with the government to mine up to a total of 56.1 million tons of product. In return for the right to mine this material, TMC is obligated to pay the Federal government $28 million in royalties.

Given the Federal government's limited interest in the site (i.e., ownership of the mineral estate), as well as TMC's limited contract with the Federal government, there is a relatively narrow range of actions that may occur. Any action that the Federal government or TMC undertook that did not involve the mineral estate at the Project site could be considered an improper use of the surface estate property. In addition, TMC is obligated to fulfill its duties under its contracts with the Federal government. These limitations very clearly allow a limited range of activities at the site.

Nonetheless, many of the alternatives for the Project were designed to allow the BLM to consider variations on the proposed Project in an effort make an informed decision concerning possible environmental effects as well as ways to minimize such effects. NEPA does not require that every conceivable alternative to a project is to be considered, but rather that a "reasonable" range of alternatives to the project be considered that accomplish the project's stated objectives. 40 CFR § 1502.14. Reasonable alternatives include alternatives that are "practical or feasible from [a] technical and economic standpoint." Forty Questions (2a). Each alternative is to be given "substantial treatment," similar to that given the proposed Project. 40 CFR § 1502.14. As pointed out in Forty Questions (5b), "[t]his regulation does not dictate an *amount* of information to be provided, but rather, prescribes a *level of treatment*, which may in turn require varying amounts of information." (emphasis in original). The alternatives developed for the Project comport fully with this language.

In developing the objectives and the alternatives for the Project, the BLM considered not only what is explicitly required by NEPA, but also considered the previous relevant decisions by public agencies that affect use of the site. Previous decisions have included designation of the site as a Regionally Significant Construction Aggregate Resource Area by California Department of Conservation (that designation included processing of an EIR), and the decision by the Federal Bureau of Land Management to sell sand and gravel resources at the site (which included processing of a NEPA Environmental Assessment). The Federal Contracts from the BLM were awarded to TMC in response to a competitive bid process conducted by the BLM, as required by the federal Minerals Act of 1947.

Due to these previous decisions, it was important to focus on site mining alternatives to examine reductions of onsite environmental impacts. In accordance with the provisions of NEPA, the selection of alternatives is governed generally by a reasonableness standard. Both the Council on Environmental Quality NEPA Regulations, and the BLM NEPA Handbook (National Environmental Policy Act Handbook, BLM Handbook H-1790-1, p. V-5) provide for the identification and discussion of reasonable alternatives to the proposed Project. According to the BLM NEPA Handbook, "[e]ach alternative, except for the no-action alternative, should represent an alternative means of satisfying the identified purpose and need and of resolving issues." In addition to alternatives designed to achieve the project's purpose and need, a "no project" alternative is discussed both as an option that the decision-makers may select, and as a baseline from which to consider the environmental effects of the other project alternatives.

The alternatives considered in detail in the DEIS meet the criteria discussed above. Federal, state and local governmental entities have determined that the site is suitable for mining (see Topical Responses LU-2 and PD-2). The Federal government and TMC have determined that mining of the site is economically viable (see Sections 1.1.2.4 and 1.1.2.5 of the DEIS), and TMC will have access to the

site through the Federal contracts. Other alternative locations may be suitable sites for aggregate mining, and were considered in the DEIS, although not in detail. However, these sites do not meet the criteria discussed previously in this section. In particular, control and access to these alternative sites is speculative at best, therefore making these sites "unreasonable" alternative locations.

The CDMG considers 30 highway miles to be the maximum distance for economically feasible delivery of PCC aggregates. Appendix E-4 of the DEIS presents the emissions associated with a hypothetical site which was assumed to be 30 miles further than the TMC proposed Project site from the identified primary market. The increased emissions alone from choice of a more distant alternative are nearly double what they would be for the proposed alternative. These increased emissions, combined with the increased costs associated with additional trucking mileage, makes such distant alternatives infeasible at best.

TOPICAL RESPONSE ALT-2: RAIL HAUL ALTERNATIVE

Many comments asked about examination of a rail haul alternative. The possibility of utilizing rail transportation of aggregate produced at the site is analyzed in Section 3.2 of the FEIS. The analysis concludes that use of rail for product shipping would decrease impacts associated with traffic and air quality at the Project site due to a reduction in local truck trips. However, equivalent impacts associated with these truck trips would occur during final product delivery from a Los Angeles distribution terminal to product users. Trucks are required because rail lines, with very few exceptions, do not extend to job sites. It would be expected that final product delivery would include the "backtracking" of numerous trips to reach delivery points in the Santa Clarita Valley. Overall air quality impacts would be greater than the proposed Project.

Changes in noise impacts resulting from this transportation alternative are also addressed. Noise impacts associated with reduced local truck trips would decrease with the railroad transportation alternative. However, the train transport system would require 151 rail cars to transport the product on a daily basis during Phase 1 of the Project. The resulting increased train noise impacts on local sensitive receptors proximate to the rail line would be significant. Overall, noise impacts would be similar to or greater than the proposed Project. All other environmental impacts would be similar in magnitude to the proposed Project.

Rail delivery is normally feasible only in situations where very long haul distances are required (e.g., 100 miles or greater) and/or when a very large job site requires a very large quantity of aggregates. Neither of these conditions apply to the Project.

TOPICAL RESPONSE ALT-3: PROJECT'S RELATION TO LOCAL AND STATE RECYCLING PROGRAMS

The Project will generate very minimal amounts of solid waste requiring disposal in landfills. However recycling will be implemented by the Project through the composting of green wastes stripped from mining areas and the separation of recyclable office wastes consistent with the requirements of the Solid Waste Reuse and Recycling Access Act (Pub. Res. Code §§ 42900 et seq) and the Integrated Waste Management Act (Pub. Res. Code §§ 40050 et. seq).

Similar provisions in both the Integrated Waste Management Act and in the Solid Waste Reuse and Recycling Access Act require that local governments divert 50 percent of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting

activities. Pub. Res. Code §§ 41780(a), 42901. As noted above, a limited amount of waste generated by the Project will be disposed of in landfills. The Project will incorporate recycling and composting efforts to further reduce this already limited contribution of waste. It should be pointed out that the fines material that will be produced as a by-product of the mining operation at the site is not discarded waste as defined by the Supreme Court of California. *See* Waste Management of the Desert v. Palm Springs Recycling Center, 7 Cal. 4th 478, 487 (1994). Also, the fines will not be discarded, but will be stored at the site for possible future commercial sales. Accordingly, the Project will be in full compliance with the provisions of the Integrated Waste Management Act and the Solid Waste Reuse and Recycling Access Act.

In addition, to the extent feasible, the Project site may be designated as a County of Los Angeles Sediment Placement Site ("SPS") upon completion of a Memorandum of Understanding ("MOU") with the County of Los Angeles Flood Maintenance Division ("County Flood Control"). Under the terms of the MOU, County Flood Control could deposit sand, silt, and gravel materials generated from flood control maintenance excavations from various debris basins at the Project site, rather than depositing these materials in landfills. The County estimates that up to 50,000 cubic yards could be deposited at this SPS over the 20 year period of the Project.

Furthermore, although the use of recycled aggregate as an alternative to mining is growing, it accounts for less than 1-4 percent of nationwide aggregate demand according to the U.S. Geological Survey. The California Integrated Waste Management Board estimated the total generation of inert waste statewide at only 8.9 million tons per year. At a recycling rate of 57 percent the total of recycled inert solid waste statewide was only 5.9 million tons per year. In the County of Los Angeles even at 100 percent recycle rate, recycled aggregate will only be able to provide 1-3 million tons per year, less than 10 percent of the County's overall aggregate need. In addition, recycled aggregate is suitable only as aggregate base materials, such as crushed aggregate for road base, and is prohibited for use as PCC grade aggregate for use in ready-mixed concrete. For example, California Department of Transportation (Caltrans) specifications forbid the use of recycled aggregate in PCC for its projects (CDMG 1985).

2.3.12 Cumulative Impacts

TOPICAL RESPONSE CUM-1: CUMULATIVE PROJECT ANALYSIS

A number of commentators state that the DEIS failed to address cumulative impacts from the Project. Under the CEQ Regulations implementing NEPA, a cumulative impact is defined as:

> [T]he impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

40 CFR 1508.7. In the scoping process for the DEIS, potential connected, cumulative and similar actions were identified and analyzed in order to assess the range of possible effects that the Project might have on the environment. This process was conducted in accordance with the CEQ NEPA Regulations. 40 CFR 1501.7(a)(2); 40 CFR 1508.25(a). Pursuant to the requirements of NEPA, "cumulative actions" which, when analyzed in the context of the proposed Project, could have

cumulatively significant impacts were considered. 40 CFR 1508.25(a)(2). In addition, "similar actions" were considered in the development of the cumulative analysis if there was a logical basis for analyzing their environmental consequences in conjunction with the proposed Project. 40 CFR 1508.25(a)(3).

Other projects identified and included in the cumulative impact analysis in the DEIS were selected based on residential and mineral development projects proposed for development in the area of the proposed Project. The primary source for identifying projects was the Los Angeles County CTRAC list of proposed projects in the Mint Canyon and Agua Dulce quadrangles available through the County Department of Regional Planning. In addition, numerous past and current case files were examined for potential projects for inclusion in the cumulative impact analysis. In the development of the cumulative impact analysis, proposed projects identified in the County's computer files for which no action had occurred for three years were not considered. This is in accordance with general County policy to consider projects that have been inactive for two years or longer to be no longer in progress. It should be noted that the majority of new development projects filed with the County are located in the northwest and northeast areas of the region, and are therefore distant from the proposed Project site.

For the cumulative impact analysis, contributions to environmental effects from previous projects were incorporated into the baseline descriptions of existing conditions. Accordingly, the cumulative analysis focused on proposed future projects in the vicinity of the Project site. Seven residential, commercial and industrial projects, as well as six mining projects, were considered in detail in the cumulative analysis based on their proximity and (for certain mining projects) their similarity to the proposed Project.

A number of commentators suggest that the cumulative analysis for the Project should consider possible future mining of the Soledad site by future operators acting pursuant to leases with the Federal government. It should be clarified that the cumulative mining activities analyzed at the site have been expanded to include 64 million tons of product (i.e., 7.9 million tons more than the proposed Project), because the mining cuts provided for by the generalized mining plan (Concept Plan) result in a theoretical total mining of 64 million tons. Future mining at the site beyond the 64 million tons is uncertain at best, and therefore is considered highly speculative.

Several commentators have suggested that the DEIS should have analyzed the cumulative impacts of mining beyond even the 64 million tons analyzed in the DEIS (which is already beyond the scope of the proposed Project) because this additional mining is "reasonably foreseeable." The commentators state that failure to analyze this additional amount constitutes a "piecemealing" of the Project and fails to meet the requirements under NEPA. In particular, it is suggested that this additional tonnage (i.e., beyond 64 million tons) represents a "proposal" which is closely enough related to the proposed Project to create a "single course of action" as addressed by 40 CFR § 1502.4(a).

First, it should be clarified that there is no "proposal" under NEPA to mine more than 56.1 million tons. Although the EA prepared by the BLM for the Competitive Mineral Material Sale (No. CA-066-EA947) analyzes potential future mining of up to 100 million tons on the site, the EA analysis was limited to the competitive bid process and sale which resulted in the Federal Contracts, which are limited to 56.1 million tons. The EA did not contemplate, nor did it analyze for, future bid processes and sales. Therefore, this analysis in the EA does not translate into a "proposal" to mine this amount of materials.

Second, while the DEIS states that additional aggregate is available from the site, and that additional mining may occur at the site, these statements in no way suggest that a "proposal" for additional mining has been made, or that such a proposal will ever be made. As pointed out in the DEIS on page 2-1, economics, as well as the procurement of new contracts by a subsequent mining operator from the BLM would dictate the potential parameters of any future mining at the site. Also, additional permitting would be required at such future time which would greatly affect the scope of any mining proposal. These factors—economics, new contracts with the BLM, and new permitting—would play significant roles in shaping a decision of whether *to propose* a new mining operation at the site. Even if a subsequent entity decided to propose to establish a new mining operation at the site, the scope of the mining operation would be dictated by a host of factors in addition to those already set forth above.

SECTION 3.0 - RESPONSES TO WRITTEN COMMENTS RECEIVED ON THE DEIS AND SDEIS

3.1 INTRODUCTION AND ORGANIZATION

This section presents responses to individual comment letters received during the DEIS and SDEIS public comment periods. The comments and the letters are grouped and organized as follows:

- Section 3.2 - Responses to Comment Letters from Federal Agencies
- Section 3.3 - Responses to Comment Letters from State Agencies
- Section 3.4 - Responses to Comment Letters from Local Agencies
- Section 3.5 - Responses to Comment Letters from Community Groups, Associations, and Consulting/Legal Firms
- Section 3.6 - Responses to Comment Letters from Individuals (Including Form Letters)

Responses to DEIS comments received during the public hearing process are included in Section 4.0. Responses to DEIR comments are included in Sections 5 and 6.

The listings that follow present those letters received during the public comment period. Letters are coded based on which of the above categories (i.e., Federal, State, etc.) they fit into. Responses to a particular letter can be found in the appropriate section. Copies of the letters are contained in Volume 2 of this FEIS.

DEIS and SDEIS Letters Received from Federal Agencies

Code	Agency	Signature, Title	Date
F-1	United States Environmental Protection Agency	Deanna M. Wieman, Deputy Director Cross-Media Division	1/6/2000
F-2	United States Environmental Protection Agency	Jeanne Geselbracht	10/07/99

DEIS and SDEIS Letters Received from State Agencies

Code	Agency	Signature, Title	Date
S-1	Department of Conservation	Jason Marshall, Assistant Director	9/10/99
S-2	Department of Conservation	Jason Marshall, Assistant Director	6/22/99
S-3	State Water Resources Control Board	Ross Swenerton, Chief Environmental Review Unit	6/1/99

Code	Agency	Signature, Title	Date
S-4	Department of Water Resources	Stephen W. Verigin, Acting Chief Division of Safety of Dams	5/25/99
S-5	Department of Conservation	Jason Marshall, Assistant Director	1/6/2000
S-6	Governor's Office of Planning and Research State Clearinghouse	No Signature	12/1/99
S-7	Governor's Office of Planning and Research State Clearinghouse	Terry Roberts, Senior Planner, State Clearinghouse	1/7/2000
S-8	State Water Resources Control Board	Harry M. Schueller, Chief Divison of Water Rights	10/7/99
S-9	State Water Resources Control Board	Charles A. Rich, Chief, Complaint Unit Cori Condon, Associate Engineering Geologist	12/20/99
S-10	Department of Transportation	Cheryl Powell signed for Stephen Buswell, IGR/CEQA Program Manager, Transportation Planning Office	12/29/99

DEIS and SDEIS Letters Received from Local Agencies

Code	Agency	Signature, Title	Date
L-1	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning and Building Services	8/25/99
L-2	LA County Department of Regional Planning	Morris J. Litwack, Section Head, Zoning Enforcement	8/31/99
L-3	City of Santa Clarita	Jo Anne Darcy, Mayor	6/10/99
L-4	Saugus Union School District	Gail Wickstrom, Ed. D. Superintendent	10/19/99
L-5	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning and Building Services	1/4/2000
L-6	LA County Department of Parks and Recreation	Kimway Conway Chief of Planning	1/6/2000
L-7	Southern California Association of Government	J. David Stein, Manager, Performance Assessment and Implementation	1/6/2000
L-8	Newhall County Water District	Thomas E. Shollenberger, General Manager	1/5/2000

Code	Agency	Signature, Title	Date
L-9	LA County Fire Department	Michael A. Wilkinson, Chief, Forestry Division Prevention Bureau	1/18/2000
L-10	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section Planning, Rule Development & Area Sources	1/26/2000
L-11	County of Los Angeles, Department of Public Works	David Yamahara, Planning Division	3/15/00

DEIS and SDEIS Letters Received from Community Groups/ Associations/Consulting Firms

Code	Group/Firm	Signature, Title	Date
C-1	Sierra Club, Angeles Chapter	Henry Schultz, Chair, Santa Clarita Group	9/13/99
C-2	San Marino Environmental Associates	Jonathan N. Baskin, Ph. D.	9/10/99
C-3	Remy, Thomas and Moose, LLP	Andrea A. Matarazoo	9/9/99
C-4	SCOPE	Lynne A. Plambeck, Vice President	9/13/99
C-5	Friends of the Santa Clara River	Ron Bottorff, Chair	9/13/99
C-6	S.A.F.E.	Tana Lampton, Director	9/13/99
C-7	SCOPE	Lynne A. Plambeck, Vice President	5/11/99
C-8	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	5/15/99
C-9	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President	9/13/99
C-10	Saugus Union School District	Gail Wickstrom, Ed., D. Superintendent	9/8/99
C-11	Acton-Agua Dulce Unified School District	Jim Duzick, President, et.al	9/9/99
C-12	Democratic Alliance for Action	Diane Trautman, President	7/27/99
C-13	The Agua Ducle Town Council and The Agua Dulce Civic Association	James F. Duzick, President Diane Terito, Land Use Chair	9/13/99
C-14	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	3/23/99
C-15	Center for Biological Diversity	Peter Galvin, Conservation Biologist	11/23/99
C-16	Natural History Club	Stacey Nickels, President NHC, A/AD	1/10/2000

Code	Group/Firm	Signature, Title	Date
C-17	Hall and Associates	Carlyle W. Hall, Jr. Attorney for SAFE Action for the Environment, Inc.	1/8/2000
C-18	Agua Dulce Town Council Agua Dulce Civic Association	Diane Terito, President, Agua Dulce Town Council Susan Kaplan, President Agua Dulce Civic Association	1/7/2000
C-19	Newhall School District	Marc Winger, Superintendent	10/20/99

DEIS and SDEIS Letters Received from Individuals Including Form Letters

Code	Agency	Signature, Title	Date
I-1		Joseph Yore	7/22/99
I-2		Joseph Yore, enclosure from code I-1	6/10/99
I-3		Arthur and Beverly Edwards	7/12/99
I-4		Lynne Winner	7/6/99
I-5		Mary K. Riggins	6/8/99
I-6		Michelle Hoffman	6/3/99
I-7		Estelle Blashak	6/10/99
I-8		Nancy Miller	7/3/99
I-9		Vinton & Tana Lampton	9/13/99
I-10		Chris Towles	7/6/99
I-11	S.A.F.E.S.	Mary K. Riggins	6/8/99
I-12	Petition from Stop The Rock Quarry Project	2500 signatures	No date
I-13	Form Letters	500 Individual Letters	5/16/99
I-14		Kyle Mcriylite	5/15/99
I-15		John C. Bodune	5/15/99
I-16		Ron Aaron	5/15/99
I-17		Peter Tutokey	5/15/99
I-18		Virginia Applen	5/15/99
I-19		Tim Partenffider	5/15/99
I-20		Timothy Tudor Applen	5/15/99
I-21		Loren Nickloff	5/15/99
I-22		Lindsay Jewell Stukey	5/15/99
I-23		Danielle Gersh	5/15/99
I-24		Jeffrey Mark Gersh	5/15/99
I-25		Edith and George Haddock	5/15/99
I-26		Tana Lampton	5/20/99
I-27		Carol Hano	5/15/99

Code	Agency	Signature, Title	Date
I-28		Sarham	5/15/99
I-29		George Hano	5/15/99
I-30		Richard McCormick	5/15/99
I-31		Bruce N.	5/12/99
I-32		Rebecca Hollinger	5/15/99
I-33		Tim Hollinger	5/15/99
I-34		Lynn Saufley	5/15/99
I-35		Joan Marie Dunn	5/15/99
I-36		Beth Shott	5/25/99
I-37		James A. Yankovich	5/15/99
I-38		Simon Peter Raible	5/20/99
I-39		Anne E. Raible	5/20/99
I-40		Mary Alexoff	5/20/99
I-41		Phillip J. Lepacher	5/15/99
I-42		Alicia E. Martin	5/1/99
I-43		Kevin and Cindie Olen	5/24/99
I-44		Sally McCork	3/10/99
I-45		Kathy Carver	6/5/99
I-46		Gea Miller	3/10/99
I-47		Ronda Lockarct	3/10/99
I-48		Art Brewer	3/10/99
I-49		No Name	No date
I-50		Ray Brown	3/10/99
I-51		S. East	3/10/99
I-52		D. Saufley	3/10/99
I-53	Agua Dulce Civic Association	Stephen Voyles	No Date
I-54		Shauna B. Comber	5/25/99
I-55		Philip Avila	9/12/99
I-56		Virginia Applen	5/5/99
I-57		James R. Lankford	No date
I-58		Berta Gonzalez-Harper	4/13/99
I-59		Kenneth G. Solis	5/15/99
I-60		Easton Phillip Lepach	5/15/99
I-61		Clinton Perkins	5/15/99
I-62		Richard Thompson	No date
I-63		Rosalio Granco	No date
I-64		Ralph Clarkson	5/15/99
I-65		Maurillo Murillo	No date
I-66		Tory Cabrac	No date
I-67		Paul Calliez	4/12/99
I-68		David Bamo	No date
I-69		Dan Steele	4/12/99
I-70		Santos Garcia	No date
I-71		Marcos Alvarez Lugo	No date
I-72		James Baron	4/12/99

Code	Agency	Signature, Title	Date
I-73		Phillip Cervantez	No date
I-74		Francisco Isiordia	No date
I-75		Omero Reyes	4/12/99
I-76		Fred Alvaty	6/16/99
I-77	E.G. Kowboys, Inc.	Reiner Schone	5/30/99
I-78	E.G. Kowboys, Inc.	Reiner Schone	5/30/99
I-79		Francesca Capasso	5/30/99
I-80		Francesca Capasso	5/30/99
I-81		Michael D. Antonovich, Supervisor 5th District	5/12/99
I-82		Kayla Marie Bagby	5/22/99
I-83		Alfred J. Alvaty	5/22/99
I-84		Willard Stephen Bagby	5/22/99
I-85		Jane Ann Bagby	5/22/99
I-86		Kurt L. Hayden	5/9/99
I-87		Kurt L. Hayden	5/9/99
I-88		Pat Allen	4/12/99
I-89		Robert K. Grier	5/15/99
I-90		Charlotte B. Van Lohn	5/15/99
I-91		Linda F. Kirk	5/15/99
I-92		Robert E. Bowers	5/15/99
I-93		Carl Eugene Gorhar	5/15/99
I-94		Brad Johnson	5/14/99
I-95		Carnetta Jones	5/15/99
I-96		Tom Timble	5/15/99
I-97		Harry Lockart	5/15/99
I-98		Ronda Lockart	5/15/99
I-99		Stuart Larson	8/27/99
I-100		Tana & Vinton Lampton	1/10/2000
I-101		James Frautnick	10/4/99
I-102		Alan & Christine Chudnow	10/5/99
I-103		S.T.	12/13/99
I-104		Joseph V. Castagna, Jr. General Partner General Partner5	12/26/99
I-105	B & R Gallery	Signature Illegible	12/12/99
I-106		Peter J. Saputo	10/12/99
I-107		George Miller	10/12/99
I-108		Dale & Monique Stuart	10/20/99
I-109		Elaine & Howard Fox	10/5/99

3.2 RESPONSES TO COMMENT LETTERS FROM FEDERAL AGENCIES

F-1: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION IX - FROM DEANNA M. WIEMAN, DEPUTY DIRECTOR, DATED 1/6/00

Response to Comment 1: Information is contained within the FEIS on EPA's issues. The specific issues listed in this comment are addressed in detail in responses to Comments 3 through 23 below. Regarding air quality and Federal Conformity, please refer to the revised Air Quality Section (Section 3.1.7) in this FEIS and also note that the Draft Conformity analysis is included as Appendix E-5, and that the Final Conformity Determination is included as Appendix E-6.

Response to Comment 2: BLM notes this comment and will take it under advisement for future actions. Preparation of an EA prior to competitive bid and contract sale is standard practice under BLM mineral material programs. It should be noted that the proposed sale analyzed by the EA was for up to 100 million tons, not 200 million tons as stated by the commentator. The EA and bid process was undertaken pursuant to a court-ordered settlement of a case brought by the United States for mineral trespass against the prior mining operator, who had previously mined the site for approximately 20 years pursuant to a County-issued Conditional Use Permit.

Response to Comment 3: BLM notes this comment and will take it under advisement for future actions. As noted previously, it is standard practice for the BLM to prepare an EA prior to a competitive bid and contract sale, with subsequent environmental documentation prepared for specific contracts and proposals pursuant to the competitive bid. Please refer to Topical Response ADMIN-1 for a full discussion of this issue.

Response to Comment 4: The conveyor system mitigation is presented in Section 3.1.7 (Air Quality) as measure AQ3. The NFSA conveyor structure will be 42 inches wide, and 36 inches tall. Allowing for service access on both sides of the conveyor it will take up an area 8 ½ feet wide. The conveyor will be placed along the side of the 80-foot wide roadway cut where the slope rises upward. At the side of the roadway cut that slopes downward from the roadway, a 15-foot tall berm will be constructed. Section 3.1.10.3 of the visual resources mitigation section of the FEIS shows a conveyor detail.

Section 3.1.10.3 (Visual Resources mitigation) addresses the visual appearance of and effects of implementation of the conveyor mitigation in the NFSA. Briefly, earth moving scrapers will be replaced by the conveyor system that will be of low profile, placed away from the edge of the lift, and hidden behind the berm at the edge of the lift, such that from the Antelope Valley freeway the conveyor will be out of the line-of-sight of the viewer. With the conveyor system, there will be an overall appearance of less activity in the NFSA since the conveyor will be hidden and since heavy equipment will be minimized. The viewer's eye will not be as drawn to the NFSA activity, since the visual effect of activity will be lessened. Thus, the conveyor results in a visual improvement over the use of scrapers in the NSFA, however, overall visual impacts remain significant.

The conveyor will be covered or provided with catchments as necessary to prevent unauthorized discharges to U.S. Waters. No mitigation is required as the conveyor does not result in impacts from its implementation. As compared to the proposed Project, it will have no effects on geology, flood, public services, biota, cultural resources, traffic, land use, or public health and safety. For water resources, less water utilized for dust suppression will be offset by water used for dust suppression on the conveyor. In regards to noise, conveyors are generally quieter than heavy equipment, but will have no substantial differential in overall site effects.

Response to Comment 5: BLM and TMC will consider use of reclaimed water if sources become available in the area.

Response to Comment 6: Section (Section 3.1.7) in this FEIS contains a revised air quality analysis. NAAQS and conformity are included as Appendix E-5 as the Draft Conformity analysis. The Final Conformity Determination is included as Appendix E-6.

Response to Comment 7: The standard South Coast Air Quality Management District (SCAQMD) practice is to use the urban setting. To comply with accepted SCAQMD practices and enable this Project to be evaluated with respect to others in the SCAQMD, the urban setting was used in the modeling.

The modeling parameter affected by the choice of setting (urban/rural) is not a function of population, but rather of the relative "roughness" of the surrounding terrain and heat rise from urban activity. The issue of urban/rural classification was discussed with Tony Servin of the California Air Resources Board (916-323-5122). Mr. Servin indicated that the urban classification was developed based on studies performed in urban St. Louis and the rural classification was developed based on studies performed on prairie lands of Nebraska. Obviously these choices are at the two extremes of the wide range of actual possibilities that may occur.

The TMC Project is neither a flat, grassy plain nor a highly-developed urban area. At the location of the TMC Project, there are natural obstacles such as hills, valleys, ridges, rivers, and tunnels that all affect pollutant dispersion. This, coupled with relatively high surface roughness generated by rock outcrops, trees and scrub brush which also increase pollutant dispersion, are confirmation that the urban parameter be used for this Project. Although this is not a "perfect fit," the urban classification is more representative of this site than would be rural, given the two choices available.

In addition, as discussed in EPA's *Suggested Guidance For Selecting Models for Urban vs. Rural Atmospheres, 1978,* "[i]t is further suggested that for dispersion calculation purposes that for all plumes which originate in or are transported through the zone of influence of an urban area, urban dispersion coefficients should be applied. Because developed urban areas are located 1-2 miles northeast of the site, this further confirms the use of the urban setting.

Regarding complex versus simple terrain, as a point of clarification, the modeling in the SDEIS was performed using intermediate terrain processing which implements both simple and complex terrain algorithms. Again, the standard South Coast Air Quality Management District (SCAQMD) practice is to use this setting. Therefore, intermediate terrain was used to comply with accepted SCAQMD practices, to enable this Project to be evaluated with respect to others in the SCAQMD, and because it is an appropriate parameter selection as discussed following.

Two sections of 40 CFR provide guidance on this issue:

> 40 CFR Part 51, App. W, (4.1) states the following regarding simple-terrain stationary source models: "Simple terrain, as used in this section, is considered to be an area where terrain features are all lower in elevation than the top of the stack of the source(s) in question."

40 CFR Part 51, App. W, (5.2.1 (b)) states the following regarding screening model use in complex terrain: "For receptors at or below stack height, a simple terrain model should be used." (i.e., complex terrain is meant for receptors located above stack height).

There are mountains around a portion of the site that are higher than the emission sources, however, these portions of the site do not and will not contain human or sensitive receptors. All of the nearby sensitive receptors are lower than the sources, and thus the intermediate terrain setting in the ISC model is an appropriate parameter choice.

Response to Comment 8: The plume rise calculation was performed for a typical point source of combustion emissions to be used at the facility (see SDEIS appendix A). The resulting height of 7 meters was used as the height of the volume sources used to characterize combustion emissions in the NOx model runs.

The plume rise calculations were not used in defining volume PM10 emission sources (the rock plant and batch plant). These sources, as a group, were estimated to be 20 feet (approximately 7 meters) high based on similar equipment at other aggregate processing facilities. It is pure coincidence that this is the same value as the plume rise calculations that were performed. The size of these sources was estimated to be 50 meters wide by 50 meters long by 7 meters high. The release height was assumed to be at the center of the plants, or 3.5 meters.

Response to Comment 9: See text revisions in Section 3.1.7 - Air Modeling. In addition:

Air districts in California operate meteorological stations that collect data at various locations throughout the district. Local air districts operate stations in Lancaster and Newhall (Santa Clarita), the two stations that are closest to the Project site. The SCAQMD also prepares data, which it has determined to be representative, to be used in dispersion modeling for projects located near each station. In an effort to ensure that the meteorological data used in the modeling was the most representative available, data from both stations were reviewed.

The Newhall meteorological data was determined to be more representative of the site than Lancaster meteorological data. The Newhall monitoring station is closer to the site and is in the South Coast Air Basin. The Lancaster station is in a separate air basin and air district, the Antelope Valley Air Pollution Control District.

The SCAQMD prepared and recommends the use of meteorological data from the Newhall station for all projects located in this region.

The comment that "wind speeds at the site will likely be higher than at the monitoring station" was based on public testimony and a comparison of the Newhall meteorological data to data collected at the Saugus site. The Saugus site is located adjacent to the Santa Clara River and somewhat closer to the Project site. To reiterate what was stated in the SDEIS, wind speeds at the Saugus site are higher than wind speeds at the Newhall site. Higher speeds at the Project site would result in lower modeled pollutant concentrations and thus, using the data from the Newhall station provides a conservative answer that will tend to overestimate impacts.

We do not believe that higher wind speeds would result in higher pollutant concentrations. In general, higher wind speeds result in lower pollutant concentrations because of the greater dispersion. The EPA

commented that pollutant concentrations are also based on atmospheric stability, wind speed-dependent emission rates, and wind direction. These parameters are discussed below:

Atmospheric Stability: Atmospheric stability is not a localized parameter. Atmospheric stability is measured at higher altitudes and is an area-wide condition. Atmospheric stability does not generally vary greatly over short distances and the data from the Newhall station is representative of the Project site. Upper wind data for the Newhall station was obtained by the SCAQMD from the Ontario station and is used in modeling projects throughout the region.

Wind Speed-Dependent Emission Rates: We agree that in general, higher wind speeds may result in higher PM10 emissions from windblown dust. However, SCAQMD Rule 403 requires that the facility have a plan in place (403 Plan) that requires increasing amounts of controls and decreasing amount of onsite dust generating activity as wind speed increases. In addition Rule 403 sets a maximum fence line PM10 concentration at the facility of 50 ug/m3 which, when added to the background concentrations will meet the NAAQS.

Wind Direction: Modeling performed in the SDEIS shows that the pollutant concentration does not violate the most stringent air quality standard beyond the facility boundary. Even if the wind direction were different, this conclusion would not change. Again Rule 403 sets a maximum fence line PM10 concentration at the facility of 50 ug/m3 which, when added to the background concentrations will meet the NAAQS.

Response to Comment 10: Local air districts in California operate air quality monitoring stations that collect air quality data at various locations throughout the state. The station closest to the Project site was the SCAQMD Newhall (Santa Clarita) station. In an effort to ensure that the background data used in the modeling was the most representative available, data from the Newhall Station was used for the reasons stated in the response to Comment 9.

Site specific data is not available for this site, and is not necessary given the availability of quality data from the SCAQMD. In the comment letter, the EPA indicated that a comparison of land uses at the monitoring station and the Project was needed to conclude that the data used were conservative. In the SDEIS, the background data was concluded to be representative and conservative because the station is located in a semi-industrial area adjacent to open space and is surrounded by urban development. The station is also adjacent to a rail line, in the center of downtown Newhall, and is bounded by Interstate 5 to the west, highway 14 to the east and industrial or residential development in between. In comparison to the nearby station, the Project is located in an area with limited traffic, very low residential and other industrial/commercial development. In addition, one other industrial facility is located near the Project site on an adjacent parcel, however that facility is also subject to SCAQMD rules regarding fugitive dust and PM10. Given the generally fewer sources of PM10 existing in the vicinity of the Project site, it was concluded that the Newhall background data was conservative.

Response to Comment 11: The commentator is correct, as stated in the Draft Conformity analysis, NOx and VOC emissions are subject to 40 CFR Section 93.158.

Response to Comment 12: See FEIS Technical Appendix E-6 for the final conformity determination including the requested documentation from the local agencies.

Response to Comment 13: The EPA commentator recommends that the Project desilting/debris basins be redesigned to withstand 100-year, 24-hour storms as settling ponds. Such design would significantly

exceed the design standard of the County and would short circuit the beneficial operation of the basins to regulate silt content of site stormwater runoff to downstream areas. For these reasons, the recommendation is inconsistent with the Project concept as described in the Project description, because there are no settling ponds associated with the Project. The Project, as described in the Project description, contains desilting/debris basins which are planned for stormwater runoff control. They are designed to maintain an appropriate flow and silt loading of stormwater runoff from the site. These basins and the Project Drainage Concept are based on the Los Angeles County Department of Public Works, Hydrology/Sedimentation Manual guidelines, as required by the County. In addition, as required by the National Pollutant Discharge Elimination System regulations, a Storm Water Pollution Prevention Program has been prepared and is included as Technical Appendix B1 of the DEIS and FEIS. Neither of these programs suggest or contain regulatory requirements to contain all rainwater onsite.

Detailed analysis of hydrology is contained in the DEIS and FEIS and supporting documentation. The desilting/debris basins which are discussed in the EIS will not be designed to retain water permanently on location. The basins are required to meet a dual requirement: (1) basins must have a sufficient volume to contain and retain the largest capital storm debris volume, and (2) must have sufficient volume to temporarily retain and provide for controlled release of lesser storm volume, thus providing for desiltation. The basin overflow spillway must be designed to accommodate a 150 percent burned and bulked flow rate. The standpipe and outlet pipe must be sized to accommodate a burned flow rate or discharge from the basin. The standpipe must also be perforated to provide the controlled discharge of the frequent lesser storm volume over a 40-hour period.

The basins will be designed to handle the maximum debris from a 50-year capital storm as defined in the LAC Hydrology/Sedimentation Manual. According to the Hydrology Manual, the Department (Los Angeles County Department of Public Works) uses the Capital Flood peak flow rate, appropriately burned and bulked for flood hazard mapping. The Department's experience is that Capital Flood rates meet or exceed Federal Insurance Agency standards. The Federal Insurance Agency standard is the 100-year flood.

As discussed, the spillway of each basin is designed to accommodate 150 percent of the burned and bulked flow rate of the 50-year capital storm. Since the 50-year capital storm, as defined by the LACDPW is equivalent or greater than the 100-year, 24-hour storm, the spillway has at least a 50 percent safety factor over the 100-year, 24-hour storm.

The housekeeping requirements of the Stormwater Pollution Prevention Plan (SWPPP) are designed to keep contaminants from contacting the stormwater which will enter the desilting/debris basins. The monitoring required by the SWPPP will monitor oil and grease, total suspended solids, total dissolved solids, and other contaminants which might enter the flow from anywhere on the location. Should the monitoring show contaminants in the stormwater, the cause of the contamination will be determined and corrected.

Response to Comment 14: The sections of the NFSA conveyor system that cross "Waters of the United States" will be covered or provided with catchments that prevent unauthorized discharges.

Response to Comment 15: Drainage, siltation, and erosion plans are summarized in the DEIS (DEIS page 3-79, Drainage Concept) and the same is also in the FEIS. The Storm water Pollution Prevention Plan is included in the Technical Appendix to the DEIS and FEIS as Appendix B-1. In addition, mitigation measures F1, F2, and F3 (see Section 3.1.3.3 on flood mitigation of FEIS) will be implemented to prevent erosion and sedimentation.

Response to Comment 16: The EPA commentator was concerned that the Project involved 16.6 miles of unpaved roads on the site that could be coated with magnesium chloride to suppress dust. The commentator was also concerned that the Santa Clara River is impaired for chloride in the vicinity of the Project. Both of these concerns are misplaced. First, with regards to the unpaved road, considering the physical size of the Project and the site topography, it would be impossible to create 16.6 miles of unpaved roads onsite. It is noted that the DEIS Table 3.1.4-15 identifies 16.6 acres, not 16.6 miles of unpaved roads. This 16.6 acres converts to 1.7 miles of unpaved road based on an 80-foot-wide roadway. Second, the Santa Clara River is simply not impaired for chloride in the vicinity of the Project.

The Soledad Canyon Project is not located on a reach of the Santa Clara River that is listed on the State of California's 303 (d) list as impaired for chloride. River reaches along the Santa Clara River have both a numeric designation and a narrative description. The numeric reach designations for the Santa Clara River are not consistent between the 303 (d) list and the Water Quality Control Plan for the Los Angeles Region (Basin Plan), which has created confusion in determining whether impairment does or does not exist. The discussion below presents the inconsistencies between the 303 (d) list reach designations and those of the Basin Plan. The inconsistencies are based on the following:

- The Project is situated on the reach of the Santa Clara River ***above Lang Gaging Station.***
- According to the Basin Plan, the reach above Lang Station is Reach 8 (Project reach).

On the 303 (d) list, the Project is located on Reach 9. The reach above Lang Station (Reach 8 of the Basin Plan) is combined with the adjacent lower reach between Bouquet Canyon and Lang Station (Reach 7 of the Basin Plan) and is designated as Reach 9 for the purposes of the 303 (d) list.

Reach 9 as described by the 303 (d) list (including the Project reach) ***is not*** listed as impaired for chloride.

Reach 8 of the 303 (d) list (West Pier Highway 99 to Bouquet Canyon), which is equivalent to Reach 6 of the Basin Plan, is listed as impaired for chloride, but ***is not*** the Project reach of the river.

The Los Angeles Regional Water Quality Control Board is currently considering a Basin Plan amendment, whereby the water quality objective for chloride will be increased on two reaches of the Santa Clara River to the point where the River would no longer be impaired for chloride.

There are no impairment listings for magnesium chloride on the State of California 303 (d) list. However, TMC has agreed to monitor for chlorides in the event that chloride containing compounds are to be used at the site.

There is no need to provide new information in the FEIS regarding dust palliatives. TMC will monitor for chlorides in stormwater runoff as part of the Storm Water Pollution Prevention Plan, and will use other dust palliatives discussed in the DEIS and FEIS if chlorides are identified to be above threshold levels in the Santa Clara River.

Response to Comment 17: The commentator has raised the question of who will be responsible for enforcement of water mitigation measures. The DEIS and FEIS Technical Appendix F-11 (USF&WS), Biological Opinion (BO), states the following: "The Bureau shall require that pumping of water from the underflow of the Santa Clara River cease if the habitat requirements of the Unarmored Threespine Stickleback are not being met." Further, it states, "If the water quality and quantity parameters reach

action levels defined in the attached table (Comparison of Unarmored Threespine Stickleback Habitat Requirements and Monitoring Plan Action Levels), the Bureau shall require TMC to notify the appropriate Bureau office and to cease pumping water from the alluvium of the Santa Clara River until the action levels defined in the table are again achieved." In addition, it states, "If pumping has been suspended until at least the water quality and quantity standards defined by the action levels are once again achieved, the Bureau shall limit the amount of water pumped from the alluvium of the Santa Clara River by TMC to a rate and amount that will not result in fluctuations of the water level, water temperature, or oxygen level." Thus, as per the BO, the Bureau will enforce these mitigation measures.

Response to Comment 18: Regarding invasive plant removal, the commentator noted that Fish and Wildlife Service's (F&WS) BO included a "Reasonable and Prudent Measure" that the BLM ensure that TMC does not use herbicides which are toxic to UTS in proximity to the Santa Clara River. However, Term and Condition number 3 of the BO states that: "The Bureau shall ensure that *TMC uses only herbicides approved for spraying in and near aquatic sites, such as Rodeo, within 100 feet of the Santa Clara River when water flow is present in the river.* Other herbicides may be used according to their label restrictions, to control giant reed on upper floodplain terraces." (emphasis added).

In addition, with regard to the on-going U.S. Forest Service (USFS) invasive plant removal program in the Santa Clara River, the BO states: "The removal operation will be coordinated each year with the USFS at the Angeles National Forest, and a letter report summarizing the annual operation will be sent to USFS each year for the duration of the Project." (See note below.) Additionally, the F&WS requires that TMC submit an annual report by December 1 of each year to the Bureau including documentation of the effectiveness of the Terms and Conditions, and if appropriate, recommendations for modifications to the Terms and Conditions to enhance the protection of the UTS. The Bureau, in turn, shall forward the report to the F&WS by January 15 of the following year.

> [Note: The invasive plant removal program is a program that has been developed by the USFS pursuant to a separate public environmental review process, and is currently implemented by USFS in the SCR upstream of TMC for the benefit of the UTS. TMC's invasive plant removal program would merely extend the USFS program to properties downstream of the USFS removal area, in order to provide the B1 population of the UTS with the same protections provided to upstream UTS populations.]

Glyphosate base, systemic herbicide (formulated as Rodeo) is approved (by the EPA) for use in areas near natural water courses. It is an unrestricted herbicide and is routinely used specifically for giant reed removal throughout California by many agencies. The process works in two steps: first, the vegetation of the giant reed is cut usually with a chain saw as close to the ground as possible, and the material removed from the area and disposed of at a landfill (since each node of the stem will root easily). Second the stump is cut again and the herbicide is painted on the stump immediately after cutting before the plant seals over the cut. Special spill proof applicators can be designed. All staging is outside of areas that could contaminate the water course. This process works best in early fall when the plants are translocating material to the roots for the winter. Usually, the regrowth will require foliar application of herbicide at 2 percent strength in the same fall season or following seasons.

Response to Comment 19: The FEIS does address the ephemeral drainages onsite, and discusses the Project's potential impacts on these drainages in Section 3.1.8. Several vegetation surveys of the site (discussed in detail on page 3-200 of the FEIS) were made, and none of these surveys revealed the presence of any perennial aquatic habitat features (e.g., pools and riffles), salmonid habitat, fish spawning areas, or sensitive wetland species. Only ephemeral drainages where the average annual flow is less than 1 cubic foot per second were found on the operations area. These ephemeral drainages, therefore, are not critical for the preservation of a specific habitat or sensitive species associated with wetland habitats. Rather, the potential value of these drainages would be for the water itself that occurs intermittently, and is provided to downstream locations.

The FEIS mitigates for possible impacts to these drainages by including controlled drainage features that will allow water to flow to downstream sites (i.e., Bee Canyon). In addition, Mitigation Measure WR1 in the Water Resources section of the FEIS (Section 3.1.2.3, page 3-70) would act as further mitigation by providing for a monitoring program for water resources generally and for sensitive ecological habitats in the Project vicinity. Accordingly, there will be no significant impacts to these ephemeral streams. Therefore, potential impacts to these drainages will be minimized to the fullest extent possible.

Alternative locations were considered in the scoping for the Project. However, the range of alternative locations, as well as the viability of these locations, was restricted due to the unique ownership and contractual arrangements for the Project. These issues are discussed in detail in Topical Response ALT-1. It should be noted that the EA prepared for the Mineral Material Sale (EA No. CA-066-EA947) limits the potential range of alternatives considered for the Project.

In addition, it should be re-iterated that applications will be made to the U.S Department of the Army Corps of Engineers for a Section 404 permit and to the California Department of Fish and Game for a Section 1603 Streambed Alteration permit, if these are determined to be necessary.

Response to Comment 20: The bond amount of $1.4 million is sufficient to satisfy Federal, State, and County financial assistance assurance requirements. Section 2.2.4 of the FEIS has been revised to clarify the basis for the financial assurance calculations for the State. The first year reclamation cost estimate is based on reclamation of existing disturbed areas as well as areas which would be disturbed during the first year of operation. The bond amount will be revised annually by the lead agency and adjusted as needed.

Response to Comment 21: Blasting mitigation, as presented in Section 3.1.18 of the FEIS includes adherence to OSMRE regulations. These regulations include conducting blasting to prevent injury to persons, prevent damaging public and private property outside the permit area, and controlling flyrock at the blast site so that it is not cast from the site (Mitigation Measures N1e and N1i). Given the extensive measures as contained in Mitigation Measure N1, as required under OSMRE, it will not be necessary to temporarily close Soledad Canyon Road or the Southern Pacific Railroad during blasting.

Response to Comment 22: The DEIS and FEIS conform to the current Council on Environmental Quality (CEQ) Environmental Justice Guidance. The DEIS and FEIS state the following: "The race, income, poverty status, and age distribution information presented is based upon data from the U.S. Department of Commerce, Bureau of the Census, 1990 Census for Los Angeles County and Census Tract 9108.01." The documents also state "The data used for this analysis was taken from the 1990 Census, and although the data was collected in mid-to-late 1989, it is the most comprehensive set

of data on population size, income, and racial composition available." Current CEQ Guidance allow for the use of Bureau of the Census reports and allows for the use of a census tract as an appropriate unit of geographic analysis.

As shown in the DEIS and FEIS, Section 3.1.19, the census data for the census tract applicable to this Project shows that the racial composition was over 90 percent white, with a mean annual household income of over $72,000. This was compared to the Los Angeles County as a whole, where the racial composition was only 65 percent white and the mean annual household income was only slightly over $47,000. Accordingly, the DEIS stated, "The minority population in the Project area, as represented by the surrounding Census Tract, is significantly smaller than the minority population in the unincorporated areas of Los Angeles County. Therefore, the proposed Project would not result in disproportionate impacts to minority populations."

With regard to the adjacent River's End Park, tax assessors records list the park's zoning as "golf courses." However, the park is actually zoned R-R-1 Resort and Recreation (1-acre minimum lots). (See DEIS and FEIS Figure 3.1.12-1 Zoning - County of Los Angeles.) This park is relatively small, with less than 10 acres developed as a public recreational facility including a small recreational vehicle trailer park. This park is open to the public for recreational use with trailers, camping, and group picnics.

Response to Comment 23: The comment is noted. Los Angeles County exercised their legal option to prepare a separate EIR.

F-2: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION IX - FROM JEANNE GESELBRACHT, DATED 10/7/99

Response to Comment 1: Section 3.2 of the FEIS has expanded the Alternatives discussion to address all resources for all disciplines.

Response to Comment 2: Regarding air quality, the commentator's concern that a 5,000-meter grid spacing was used in the modeling is misplaced. The grid spacing was much smaller–100 to 250 meter spacings were used. Specifically, as noted on page 8 of the Modeling Report contained in FEIS Technical Appendix E3, the modeling runs used 20 grid receptors located every 250 meters, as well as discrete receptors placed at 100-meter increments along the Project property line.

Response to Comment 3: The Newhall/Santa Clarita monitoring station data is the data approved by and recommended by SCAQMD. Because this monitoring station is the closest monitoring station to the site, and because it is in the same air basin, SCAQMD considers it the most applicable data to the site. All EIRs and EISs for area projects use that database, if they do an air quality analysis with modeling. Background air quality data contained in the EIS is conservative because the Newhall station is located closer to the metropolitan Los Angeles area which is the primary source of pollution for the region. Also, the data is conservative because the station is located in a semi-industrial area with open space immediately across the road, and is surrounded by urban development.

The meteorological data is conservative because, in general, lower average wind speeds will result in higher pollutant concentrations, and higher 24-hour and 1-hour averages. Wind speed at the Project site will likely be higher than at the monitoring station. Additional discussion of wind speeds and wind data is provided in Topical Response PHS-1. Please also refer to response to Comment A-6 in this section for a further discussion of wind patterns.

Response to Comment 4: Please see Response to Comment 7 in Letter F-1, above.

Response to Comment 5: Please see response to Comment 17 in Letter F-1, above.

Response to Comment 6: Please see response to Comment 18 in Letter F-1, above.

Response to Comment 7: Please see response to Comment 16 in Letter F-1, above.

Response to Comment 8: Please see response to Comment 13 in Letter F-1, above.

Response to Comment 9: Please see response to Comment 19 in Letter F-1, above.

Response to Comment 10: Please see response to Comment 19 in Letter F-1, above.

Response to Comment 11: Specific information, as indicated by the commentator, will be prepared with the Section 404 Permit Application to be submitted to the Army Corps of Engineers, if determined to be necessary. The Army Corps of Engineers has requirements that must be met prior to their issuance of a Section 404 Permit, that are similar to that indicated in the comment.

Response to Comment 12: Please see response to Comment 21 in Letter F-1, above.

Response to Comment 13: Please see response to Comment 22 in Letter F-1, above.

3.3 RESPONSES TO COMMENT LETTERS FROM STATE AGENCIES

S-1: DEPARTMENT OF CONSERVATION, OFFICE OF MINE RECLAMATION - FROM JASON MARSHALL, ASSISTANT DIRECTOR, DATED 9/10/99

Response to Comment 1: Thank you for the information regarding the significance of the mineral resources at the Project site relative to other sources in the larger region. Much of this information was incorporated in the FEIS in Section 1.1 addressing the Purpose and Need for the Project.

S-2: DEPARTMENT OF CONSERVATION, OFFICE OF GOVERNMENTAL AND ENVIRONMENTAL RELATIONS - FROM JASON MARSHALL, ASSISTANT DIRECTOR, DATED 6/22/99

Response to Comment 1: Information regarding the Division's classification of the Project site as Mineral Resource Zone-2 (MRZ-2) was identified in the DEIS and FEIS in Section 1.4.2 in the discussion of State designation, in Section 3.1.1.1 in the discussion of Geotechnical Resources, and in Section 3.1.12.1 in the discussion of Project site characterization.

Response to Comment 2: These Division publications were reviewed and were referenced in the DEIS and FEIS as follows:

- Miller 1994 is referenced as California Division of Mines and Geology (CDMG) 1994 in Section 1.1.2.3 and is also included as Appendix G;
- California Department of Conservation 1987b is referenced in Section 3.1.1.1.
- Joseph, S.E., Miller, R.V., Ran, S.S., and Goodman, R.W. 1987 is referenced as CDMG 1994 in Section 1.1.2.3.

S-3: STATE WATER RESOURCES CONTROL BOARD - FROM ROSS SWENERTON, CHIEF, ENVIRONMENTAL REVIEW UNIT 2, DATED 6/1/99

Response to Comment 1: Thank you for noting the correspondence of April 15, 1992 and providing a copy. It is now included in the public record. We also appreciate your noting the misuse of acronyms in the DEIR which was also carried into the DEIS. The acronym list has been corrected for the FEIS.

Response to Comment 2: Irrigation is a minor use of water that will only be required for container plants for a short period of possibly 1 year while they establish after planting. Water can be imported for this use. Depending on weather patterns, watering may be applied once a month or not at all. Normal operating methods are to use water trucks with application to the plants sprayed from hoses.

Response to Comment 3: Please refer to Topical Response WR-8 for a discussion of these concerns.

Response to Comment 4: The SWRCB's April 15, 1992 letter is now included in the response record for the FEIS.

S-4: CALIFORNIA DEPARTMENT OF WATER RESOURCES, DIVISION OF SAFETY OF DAMS - FROM STEPHEN VERIGIN, ACTING CHIEF, DATED 5/25/99

Response to Comment 1: The following sentence has been added in FEIS Section 3.1.3.2, Environmental Effects to address this comment: "Each of the debris basins will have a berm height of less than 25 feet and a storage capacity of less than 50 acre-feet. Thus they will not fall under the jurisdiction of the Department of Water Resources, Department of Safety of Dams. The site facilities do not fit under the Small Dams Ordinance." Please also see response to Comment 13 of Letter F-1.

S-5: STATE OF CALIFORNIA DEPARTMENT OF CONSERVATION, OFFICE OF GOVERNMENTAL AND ENVIRONMENTAL RELATIONS - FROM JASON MARSHALL, ASSISTANT DIRECTOR, DATED 1/6/00

Response to Comment 1: Please see the response to Comment 1, Letter S-1.

S-6: STATE OF CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, DATED 12/1/99

No comments were received with this letter. This letter is for BLM information purposes only and is included as part of the public record.

S-7: STATE OF CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH - FROM TERRY ROBERTS, SENIOR PLANNER, DATED 1/7/00

Response to Comment 1: Please see the response to Comment 1, Letter S-1.

S-8: STATE WATER RESOURCES CONTROL BOARD, FROM HARRY M. SCHUELLER, CHIEF, DIVISION OF WATER RIGHTS, DATED 10/7/99

The letter provides information on the status of several water rights applications in the Project area. The letter is included as part of the public record. No response is required as no issues were raised with regards to the proposed Project DEIS or SDEIS. The information in the letter has been added to the FEIS.

S-9: STATE WATER RESOURCES CONTROL BOARD, FROM CHARLES A. RIGH AND CORI CONDON, DATED 12/20/99

This letter provides information on the Robinson Ranch Development and was copied to the BLM as an interested party during the TMC Project public response period. The letter is included as part of the public record. No response is required as no issues were raised with regards to the proposed Project DEIS or SDEIS.

S-10: CALIFORNIA DEPARTMENT OF TRANSPORTATION, FROM STEPHEN J. BUSWELL, IGR/CEQA PROGRAM MANAGER, DATED 1/29/99

Response to Comment 1: Comment noted. The DEIS analyzed total trips related to the Project and found a less-than-significant impact to local freeways. Additional information regarding impacts to the freeway system is located in Topical Response T-2.

3.4 RESPONSES TO COMMENT LETTERS FROM LOCAL AGENCIES

L-1: CITY OF SANTA CLARITA - FROM JEFFREY LAMBERT, AICP, DIRECTOR OF PLANNING AND BUILDING SERVICES, DATED 8/25/99

This response has been prepared to address the City of Santa Clarita letter followed by responses to each of the consultant Technical Appendices to the City Letter. Comments in Appendices A-H are labeled A-1, etc.

RESPONSE TO CITY OF SANTA CLARITA MAIN LETTER

Response to Comment 1: The City claims that the DEIS is legally inadequate and provides a synopsis of a detailed review undertaken by the City's team of experts.

The BLM has managed the preparation of the DEIS and SDEIS to conform to the requirements of the National Environmental Policy Act and related regulations, as the BLM interprets and implements the Act. Further, the BLM has made an objective and good-faith effort to fully disclose Project impacts, and has provided a public review period that began on May 6, 1999 and ended on January 10, 2000 to ensure that all interested parties had ample opportunity to comment on the DEIS and its supporting documentation. The BLM's responses to the City's specific comments are fully responded to below.

The City asserts that the EIS does not include sufficient information to enable independent peer review. The BLM has opted to provide technical data in separate technical appendices and has made other relevant information available to the public. Incorporation by reference is allowed by 40 CFR 1502.21. For instance, copies of the detailed Project Mining and Reclamation Plan were provided along with the DEIS and Technical Appendices volumes at library review sites. Project documents available to the public at the BLM include a detailed plan set, geotechnical reports, and all other Project-specific documents cited in the analyses.

Response to Comment 2: The EIS documentation (DEIS and SDEIS) contains thorough information concerning the proposed Project, the existing environment, potential impacts from the Project, mitigation for the Project, and alternatives to the Project. This extensive information has allowed for a full public commentary and peer review. Other information requested by the City has been provided as follows:

- The Revegetation Plan for the Project is a component of the Reclamation Plan and is included in Section 2.2.2 of the DEIS. Other than the minor modifications required by DMG's comments on the reclamation plan and DEIS, no additional information for the revegetation plan is required under SMARA.

- The Reclamation Plan is included in its entirety in Section 2.2 of the DEIS. It is taken verbatim from the full text of the Mining and Reclamation Plan (available for review at the BLM, the County and at library review sites). DMG and the County may require minor modifications to the Mining and Reclamation Plan as a condition of Project approval.

- NEPA does not require that the conditions of approval be attached as an appendix to the DEIS. In its Record of Decision, the BLM will incorporate mitigation as appropriate, pursuant to 40 CFR 1503.3. The BLM will include conditions in the ROD as necessary to implement its decision.

- The Technical Appendix volume lists the technical reports, plans, and studies, other than those included in the volume, that were used in the design and analysis of the Project. These studies are too numerous to include as Appendices to the DEIS. However, the document indicates that these studies were available to the public by request through the BLM and through the Applicant.

- Design of the drainage basins is based on the methodology established by County of Los Angeles Department of Public Works (County Hydrology/Sedimentation Manual, 1991) and includes design criteria for the 50-year capital flood. This is clearly stated in the DEIS on page 3-80. The drainage areas of the site, specific locations of drainage basins, runoff coefficients for the drainage areas under various conditions, required debris capacity of each basin, and required flow rate for the basin outlet pipes are provided in the text, tables and maps on pages 3-80 through 3-86 of the DEIS. The County Department of Public Works, as the responsible agency for flood control in the County, has approved the drainage design concept, subject to review and approval of final plans. The County, through comments on their DEIR, will require a maintenance plan for the basins with periodic inspection by the County. This has been carried forward through the DEIS and FEIS. See also response to Comment 13 of Letter F-1.

- The pavement analysis was reviewed by Los Angeles County staff and the data on which they based the Project requirements is on file with the County and is available for review.

Response to Comment 3: The City's comments noted several potential problems with the analysis methodology contained in the DEIS. The potential problems are briefly responded to below, whereas, a more detailed response is provided for the referenced attachment.

- Explanation is provided in responses to Attachment C of the City's comments regarding the methodology used in the analysis of ground motion. The method used was selected to be the most appropriate for Project site conditions.

- Comment B-24 addresses this issue. The analysis was based on typical operating hours. In the event that a longer work day occurs, and the dBA would slightly increase, the impacts to nearby receptors would be potentially significant as has already been identified.

- This is addressed in the response to Comment B-27. The traffic section of the EIS presents projected vehicle counts along the corridor while the noise section notes that the Project would

contribute less than 2 percent of the future volume of the corridor. As required by the policies associated with the corridor, the values present the County with the data to update their maps and no further action is required of the Applicant.

- The biological resources reported in the DEIS reflect the conditions of the Project site as required by NEPA. The studies of biological resources at the Project site began in 1990 and have been updated as necessary through 1995 to establish baseline site conditions and document changes in the site due to natural disturbances and influences such as a fire, floods and drought. The surveys and analyses for the biological resources on the site were conducted according to NEPA standards as well as to other pertinent State, Federal and County of Los Angeles requirements. Particular surveys and studies were conducted by persons with the specific education, training and experience in the required discipline, including botany, plant ecology, native plant revegetation, wildlife biology and ecology, herpetology, and ichthyology.

- NEPA and CEQA have different provisions with respect to cultural resources. Federal procedures for cultural resources are based on Section 106 of the National Historic Preservation Act (NHPA) of 1966 as amended with implementing regulations at 36 CFR 800 et.seq. CEQA cultural procedures are based on CEQA and new implementing guidelines in Section 15064.5 of the CEQA Guidelines issued January 1999. The procedures are the same for both the NHPA and CEQA: identification, evaluation, determination of effects or impacts, and mitigation. Evaluation for both now employ the same criteria; the new California Register of Historic Resources (CRHR) criteria are the same as the National Register of Historic Places criteria. The only difference is the federal review procedure by the lead federal agency, the State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation. Under CEQA, the procedures are incorporated into the EIR process and the only review is by the CEQA lead agency. The CEQA lead agency makes the determination of eligibility for the CRHR. Additional information on the Federal Process is contained in the significance criteria discussion in Section 3.1.5 of the EIS.

- Table 3.1.7-2 has been revised in the SDEIS and is included in the FEIS. The air quality analysis is based on the 1994 Air Quality Management Plan (AQMP) which is the latest approved AQMP. Information has also been provided regarding the 1997 AQMP, which has not yet been adopted by the SCAQMD.

- The passenger car equivalent (PCE) factor used in the study is consistent with Los Angeles County Traffic Study Guidelines and is consistent with Highway Capacity Manual methodology. The Intersection Capacity Utilization (ICU) method of intersection analysis was used to determine levels of service for the study-area intersections pursuant to Los Angeles County Traffic Study Guidelines. The volume of traffic associated with the TMC Project is less than one-third of the amount that the CMP considers significant and will not significantly affect traffic conditions on the Antelope Valley Freeway or other freeways.

- The pavement analysis was reviewed by Los Angeles County staff and the data on which they based the Project requirements is on file with the County and is available for review.

Response to Comment 4: The City's comments noted several potential problems with the description of the proposed Project contained in the DEIS. The potential problems are briefly responded to below, whereas, a more detailed response is provided for the referenced attachment.

- The mining of 64 million tons is not an aspect of the proposed Project; the Applicant's contract is limited to 56.1 million tons. However, the potential mining of an additional 7.9 million tons (the difference between the proposed 56.1 million tons and the possible yield of the mine as designed) is addressed in the cumulative analysis section of the DEIS, even though TMC has no right to mine beyond 56.1 million tons, does not own the minerals, and considers it speculation as to whether mining will occur at all after 20 years. Topical Response CUM-1 has additional discussion on this issue.

- The schedule included in the DEIS provides the proposed amounts of materials produced annually over the 20-year life of the Project. This level of detail is more than sufficient to evaluate impacts. The DEIS project description also describes the pre-production activities, some of which occur before mining begins. It is anticipated that all pre-production activities would be completed in the first two years of operations.

- The Sediment Placement Site designation is described to the extent it can be in the DEIS. As mentioned in the document, the designation is made for the convenience of the County but there is no obligation that the Soledad site will ever be used for such purpose. Project impacts are not increased by this designation.

- The location of the water wells and transmission facilities are clearly delineated on Figure 2.1-4. They are located on land owned by the C.A. Rassmussen Company who has leased the acreage to the Applicant for purposes of locating water facilities. The use of an above ground pipeline is incorporated to minimize disturbance in the SEA. However, the pipeline alignment traverses Rasmussen's mining area which is highly disturbed. Extensive consideration of water resource impacts from the operation of these wells has been included in the DEIS.

Response to Comment 5: The City's comments noted several potential problems with the significance criteria contained in the DEIS. The potential problems are briefly responded to below, whereas, a more detailed response is provided for the referenced attachment.

- The significance criteria used for water resources impacts are based at levels at which action must be taken to avoid damage to sensitive ecological habitats, and to avoid impacts to water availability and water quality. See response to Comment B-16.

- The water quality criteria are based on Basin Plan objectives that are protective of a number of beneficial uses including UTS habitat as well as industrial uses such as mining.

- The significance thresholds contained in Section 3.1.8.4 Biota, Effected Environment have been set according to NEPA standards (40 CFR 1508.27).

- Though the commentator is correct that the Los Angeles County Noise Ordinance is the applicable noise criteria, use of 65 dBA CNEL as impact criteria is shown to be more conservative, and therefore is justified.

- Table 3.1.7-1 Air Quality Standards has been updated. The comment concerning the CEQA guidelines, Appendix G is noted. This document has been prepared pursuant to the provisions of NEPA and is not required to address CEQA significance criteria.

Response to Comment 6:

- The existing silt ponds are not a part of the Project. They are included in the Geotechnical discussion only in relation to existing conditions. No mining, processing or other operations will take place in the vicinity of the existing silt ponds and no process water silt ponds will be used by the proposed Project.

- Regarding liquefaction, no potential for soil liquefaction impacts are related to the sand stockpile. The stockpile will be removed from the site as stated in the EIS. Also, analysis is only necessary if liquefiable-sensitive structures are proposed or other settlement sensitive issues are a concern.

- Regarding collapsible soils, analysis is only necessary if settlement-sensitive structures are proposed or other settlement sensitive issues are a concern. None of these issues are associated with the Project.

- Detailed issues of water use in relation to water resources, aquifer storage, and groundwater withdrawal are addressed in Topical Responses WR-6 through WR-8. These issues are also addressed below in responses to Comments C-5, C-6 and C-7 in response to the City's Appendix C comments.

- Further detail on site soils testing is included in the referenced reports on page 3-24 of the DEIS. Areas of contaminated soils will be removed in accordance with standard regulations (40 CFR 260 to 265 and State DTSC standards) that require the proper handling of any contaminated soils. Because such regulations must be adhered to when dealing with such materials, there are no significant impacts.

- Relative to plants, the use of magnesium chloride as a dust palliative would be limited to some roads on the Project site. While some salt build-up each year may occur on the roadway, high salt concentrations would extend no farther than the shoulder of the road. As rainfall increases and runoff travels farther from the road, the runoff from treated areas will mix with large volumes of runoff from untreated areas rapidly reducing the salt concentration in the runoff. No potential significant effect to vegetation will occur from the combination of dust palliatives that will be used at the site.

- Lignin sulfonates that may be used would be in small quantities, such that during periods of heavy stormflows (the only times it would wash away), it would be so diluted as to not result in water discoloration.

- The blasting is considered a nuisance impact. The Applicant will adhere to a rigorous mitigation program in accordance with OSMRE regulations.

- Further discussion is provided regarding berms and soundwalls and visual impact. The design and configuration of these are not known since detailed engineering will not be conducted until it is determined for certain that the berms and soundwalls are necessary. Thus, a visual analysis cannot be conducted at this time.

- Mitigation is included in the air quality section to address spillage and leakage of sand and gravel on the roadway.

- See response to Comment 12 in Letter F-1.

- See response to Comment 19 in Letter F-1 for a response concerning blueline streams and response to Comment B-34 below. Text has also been added to Section 3.1.8 Biota addressing this issue.

- The water pipeline is an above ground pipeline as described in the DEIS. The pipeline will not require removal of vegetation for installation or operation. Impacts from pumping water from the Santa Clara River are considered potentially significant in the DEIS.

- The impacts are presented in the visual quality analysis and presented as 40 percent Project completion. Additional discussion of the viewsheds used in the analysis is provided in A-3. Visual impacts are significant during the entire period of operation.

- The SWPPP states that the majority of vehicle maintenance will be performed indoors. The SPCCP gives specific guidance for cleanup of any spills for any maintenance performed outdoors.

- Section 3.1.5 of the DEIS and FEIS provides discussion on the reasoning and validity of the offsite analysis for vehicle noise.

- The discussion of air toxics has been revised and is addressed in Section 3.1.7 of the FEIS. The Project will not emit air toxics subject to a federal standard as part of the National Emission Standards for Hazardous Air Pollutants (NESHAPS), nor will it be a source of Hazardous Air Pollutants (HAPs) under federal law. However, concerns have been expressed over the possible emissions of diesel particulates from the proposed Project. While no federal standard has been established for diesel particulates, the available state standard was used to assess the potential impact of diesel particulate emissions. Pursuant to this state standard, no adverse impacts associated with diesel particulate emissions were identified for the Project. In order to fully address any concerns over such emissions, Mitigation Measure AQ5 has been included in the Project to minimize emissions of diesel particulates.

- Valley Fever spores are found in the top 4 to 12 inches of undisturbed soils and typically not in spores susceptible to high concentrations of ultraviolet light. Discussion has been added to Section 3.1.13, Public Health and Safety of this EIS, and in Comment B-43 below.

- The air quality section of this FEIS has been revised. Refer to comments below and Section 3.1.7 of this FEIS.

- The proposed mining Project will not effect the Santa Clara River as a north-south wildlife movement corridor as Project activities are physically separated from the river by the railroad and the Soledad Canyon Road. The Project may divert, but not eliminate or obstruct all east-west wildlife movement across the ridge. Discussion on this is presented in response to Comment F-4 of the City's Appendix F.

- As discussed below, the Project does not meet the threshold to trigger CMP analysis.

- As discussed below, the Project's traffic mitigation includes measures for roadway and pavement impacts.

- Topical Responses LU-1 and LU-3 provide information on land use conflicts.

Response to Comment 7:

- The bond amount satisfies Federal, State and County requirements. See response to Comment B-9.

- Mitigation measures have been worded in an enforceable manner in the FEIS. Upon Project approval, the BLM would include the mitigation measures as a condition of approval in its Record of Decision.

- As part of the SWPPP training program, inspectors will be trained in the operations of the desilting/debris basins.

- For all impacts determined to be significant, mitigation measures have been provided to reduce or minimize impacts. Assumptions in the DEIS concerning actions to reduce impacts do not relate to significant impacts. Accordingly, there are no significant impacts for the Project which do not have corresponding mitigation to reduce these impacts.

- As required by SMARA, Project site revegetation will be subject to performance standards that are based on industry standards. Section 2.2.2 of the FEIS contains revegetation specifications. Terrace grading is a method utilized for mining and roadway revegetation throughout Los Angeles and San Diego Counties and there is no basis for the statement that this method will retard species growth rates and diversity. A discussion of wildlife corridor impacts is provided in response to Comment 7 (previous comment).

- PCE's were correctly used and further information is provided. Traffic mitigation was determined and required by the County Department of Public Works. Pavement impact mitigation is included in the traffic section of the FEIS.

Response to Comment 8: The comment is noted. The commentator suggests that a number of significant, unmitigated impacts remain for the Project. Specific responses to comments, as well as information in the DEIS and SDEIS have accounted for impacts to the environmental parameters identified by the commentator, and no significant, unmitigated impacts remain that have not been identified in the EIS.

Response to Comment 9: Please refer to Topical Responses ALT-1, ALT-2 and ALT-3. Also, the Alternatives section (Section 3.2) has been expanded.

Response to Comment 10: The reasonable alternatives that may be contemplated at the site are constrained by the BLM's limited property interest in the mineral estate, the settlement in the U.S. District Court litigation, prior EA, Decision Record and bid process, and the contracts with TMC. Topical Response ALT-1 has additional discussion on this issue.

According to 40 CFR 1502.14(e) and Question 4b of the CEQ's *NEPA's Forty Most Asked Questions,"* NEPA requires the alternatives section of the EIS to identify the agency preferred alternative only in the Final EIS. If, as in the case of this EIS, there is no preferred alternative at the DEIS stage, a preferred alternative is not required to be identified at that time. The RNSFSA Alternative has been identified as the agency preferred alternative in the Final EIS.

Response to Comment 11: See Topical Response CUM-1. The noise analysis is based on the cumulative traffic for the area which is shown in tables in the text of Section 3.1.5. The cumulative traffic does account for PCEs and was conducted in accordance with the requirements of the County Department of Public Works.

Response to Comment 12: The economic analysis presented in the DEIS and the FEIS provides a full analysis of important economic considerations that are relevant to the decision on the Project. This approach is in accordance with the provisions of NEPA, 40 CFR 1502.23.

Response to Comment 13: The comment is noted. The DEIS, SDEIS, and the FEIS have been prepared to meet all requirements of NEPA. The documentation prepared for the Project provides a thorough analysis of the potential impacts of the Project, as well as approaches to alternatives to minimize impacts. The commentator's reference to separate proceedings involving TMC's parent company does not relate to the adequacy of this NEPA documentation.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX A - FROM LISA HARDY AND ENRIQUE DIAZ, CITY OF SANTA CLARITA

Response to Comment A-1: Comments received from the City of Santa Clarita (City) claim that the DEIS did not recognize the significance of the geographic relationship of the site to urbanizing areas within City and did not identify various important areas and projects. Topical Response LU-1 provides the response to this comment.

Response to Comment A-2: The City has raised a concern that the proposed mining Project would conflict with nearby residential development and residential development proposed for the adjacent Bee Canyon site. Topical Response LU-3 provides information in response to this comment.

Response to Comment A-3: Viewshed locations used in the analysis were selected to be representative of views in the vicinity of the Project, including reasonable worst case. These locations include views of the Project from within the Project boundary, views from areas adjacent to the site, as well as views from more distant locations. These viewshed locations were selected to demonstrate the level of impact from mining as seen by sensitive receptors who will experience the site as a foreground, middleground, or background visual element within a particular vista. This representation of the level of impact includes those receptors who may not be specifically called out within the Commentator's comments. For example, Metrolink commuters would be subject to views of the site that will be similar to those presented in the DEIR for cars traveling along Soledad Canyon Road. The site is more of a focal point in the car, as the driver/passenger will see the site many times through the front windshield.

The City of Santa Clarita viewshed location representation is shown from viewshed location L (Figure 3.1.10-1). A simulation of this viewshed is presented in Figure 3.1.10-9. This was selected to be representative of views of the site from approximately 3.5 to 4 miles distant. This was intended to be representative of not only this particular view, which was taken from the Sand Canyon overpass over SR-14, but also of any receptor at this approximate distance. As demonstrated by the viewshed analyses of locations more proximate to the site (for example, locations E and H as shown in Figures 3.1.10-8 and 3.1.10-12), significant impacts will be seen by viewers within 1 to 2 miles of the site, including residential receptors in Santa Clarita and hikers in the Angeles National Forest.

The Visual Qualities section of the DEIS concludes that there will be significant adverse impacts during mining operations for all viewshed locations analyzed. The DEIS also concludes that there will be

significant impacts for receptors from the Antelope Valley Freeway and Soledad Canyon Road to the NFSA and ridgeline that will remain significant even after mitigation. One of the major aspects of a mining plan is the restoration program. Major advances in successful restoration have occurred in the recent past and will continue to advance over the next 20 years, as new technologies are put into practice. These will be applied to the Project site.

Mitigation monitoring for the reclamation and revegetation program will be conducted by TMC-contracted specialists who will be required to assure compliance with the requirements of the Federal government, State of California and the County of Los Angeles through an approved Mining and Reclamation Plan. The Mining and Reclamation Plan will be evaluated by the State of California Department of Conservation and the BLM. Oversight for implementation will also be provided by both the BLM and the County.

Response to Comment A-4: Blasting is addressed in the Noise and Vibration section of the DEIS. A reference to this has been added to the Public Health and Safety section for the Final EIS. This section of the FEIS addresses concerns raised in this comment.

Response to Comment A-5: Responses to concerns related to the Traffic impact methodology and impact analysis are discussed below. Topical Response T-1 through Topical Response T-3 provide additional information on traffic methodology and impact analysis.

Paragraph 1: The TMC Project is projected to add traffic to the segment of the Antelope Valley Freeway south of the Soledad Canyon Road interchange. The added volumes in the A.M. peak hour are 41 northbound and 47 southbound and in the P.M. peak hour 19 northbound and 29 southbound. These volumes are less than one-third of the 150 peak hour volume in one direction criteria contained in the CMP, indicating that the TMC Project would not significantly impact freeway operations.

The comment referred to "heavy, oversized equipment and haul trucks." Except for special processing equipment delivery, all of the trucks serving the TMC Project will be standard size and weight and will not require permits as "oversize or overweight" vehicle.

Paragraph 2: The volume of traffic associated with the TMC Project is less than one-third of the amount that the CMP considers significant and will not exacerbate the traffic conditions on the Antelope Valley Freeway.

Paragraph 3: The operation of Soledad Canyon Road was fully evaluated by Los Angeles County staff and it was concluded that the Project traffic could be accommodated on the existing roadway with the improvements at the Project access road without the installation of additional lanes.

Paragraph 4: The volume of traffic added to the Antelope Valley Freeway by the TMC Project will not significantly change the mix of traffic. The Project-related traffic is well within the daily variation that occurs on any freeway. As previously noted, Project vehicles are not oversize. The trucks will have to comply with the California Vehicle Code with respect to loose material and the covering of loads. TMC does require drivers to comply with the terms and conditions of permits and the Vehicle Code.

Paragraph 5: The site is essentially not visible from the freeway and onsite operations will not affect freeway operations.

Paragraph 6: Evaluators of traffic impacts are required to utilize the thresholds established by the respective agencies. The establishment of subjective criteria to create an impact is not allowed. Thus, if the traffic volumes do not meet or exceed a threshold, a finding of no significant impact is required.

Paragraph 7: The mitigation identified for the Soledad Canyon/Antelope Valley Freeway NB and SB Ramps is for the "Cumulative" scenario. Thus, the timing of the installation of the traffic signals will be determined by the timing of the developments included in the cumulative scenario. The installation of traffic signals, when the minimum traffic volume warrants are not met, causes unnecessary delays and does not improve intersection operation. Should the envisioned developments not be as large or not occur at all, then the traffic signal may not be warranted, thus the provision for monitoring the traffic conditions.

Paragraph 8: The need for concrete and aggregate in the City of Santa Clarita is created by development projects within the City. Developments approved in the City will require construction materials whether or not the TMC Project is operational. Most of the sources that will supply the material will be using the Antelope Valley Freeway route to Santa Clarita. Thus, the Project does not have any impact on the street system in the City of Santa Clarita. The impacts are created by the developments that are approved by the City.

Response to Comment A-6: Additional discussion on the effects of air quality changes on sensitive receptors is contained in Topical Response AQ-1.

1st paragraph: While it is true that the air quality analysis notes that some pollutants will remain significant even with the implementation of the proposed mitigation measures, these daily criteria set forth by the SCAQMD and used as threshold levels, were promulgated to bring the entirety of South Coast Air Basin into compliance of the Ambient Air Quality Standards by the dates listed in the Air Quality Management Plan. Exceedance of these daily limitations does not mean that receptors will be exposed to unhealthful pollutant levels. This can only be demonstrated by air dispersion modeling. To this end, those pollutants which are projected to remain significant for the daily thresholds and are subject to Ambient Air Quality Standards were modeled using the most current accepted version of the Industrial Source Complex Short Term (ISCST) model. The Ambient Air Quality Standards are based on concentration levels developed by a panel of doctors and experts in the field of health care and consider the maximum allowable concentrations with a margin of safety that a typical person can tolerate with no ill effects. Because these levels are based on maximum concentration levels, a worst-case scenario occurs at minimum wind speed and maximum atmospheric stability. High winds disperse pollutants and therefore reduce predicted concentrations leading to lower ambient concentrations. High winds do generate more dust, but the Project includes mitigation that regulates operations during windy conditions.

A more thorough discussion of wind patterns, while edifying, would not change the level or results of the analysis. However, the California Air Resources Board notes that, based on 13 years of data at 24 observations per day (112,223 total observations), the predominant winds in the Saugus area (the nearest monitored area) blow from the east by southeast with an average speed of 3.7 miles per hour (mph). Secondary prominent winds blow from the north by northwest with an average speed of 6.4 mph. Prominent winds are highest during the summer and blow out of the west by northwest with an average speed of 6.4 mph while secondary winds are highest during the spring and come from the west with an average speed of 7.5 mph (California Surface Wind Climatology, California Air Resources Board, Aerometric Data Division, Reprinted February 1994). It should be noted that the overall average wind speeds do not preclude the presence of very low or high wind speeds, especially

during Santa Ana conditions. These Santa Ana conditions, which are prevalent in southern California from the fall through spring, with an average five to ten occurrences per year, can create strong southern-flowing winds.

2nd paragraph: As noted in the document, Project construction and subsequent operations are subject to SCAQMD Rules 402 and 403. While Rule 402 relates to visual nuisance, Rule 403 sets conditions specific to dust control that the Applicant must observe. While an operator need not shut down operations, Rule 403 (2) (A) sets forth a series of conditions which must be observed when wind speeds exceed 25 mph. These conditions include the submission of a "High Wind Fugitive Dust Control Plan" to be submitted to the SCAQMD for approval. The SCAQMD being the local regulatory and permitting agency with respect to air quality will then determine what additional measures must be followed or if operations are to be curtailed.

3rd paragraph: The text discloses those sensitive receptors located most proximate and prone to an exceedance of Ambient Air Quality Standards. Because these receptors are sensitive residential locations, assessment of impacts to these receptors will address the "worst case" scenario in terms of impacts. As the analysis projects that none will be impacted, there is no need to provide numbers of receptors which may *potentially* be subject to impact.

Except under high wind conditions, subject to the "High Wind Fugitive Dust Control Plan" noted above, the dust responsible for visual and soiling nuisance typically falls out of the air relatively close to its point of origin, especially when watered regularly as required though the implementation of SCAQMD Rule 403. Soiling impacts would not be expected at 0.25 mile and certainly not at a distance of 3 miles. In addition to Rule 403, the facility is bound by Rule 402. Rule 402 states "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which may cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." The impact referenced by the City of Santa Clarita, is a nuisance impact and as such is subject to the provisions of Rule 402. If in fact a soiling nuisance is noted, it is the prerogative of the local populous to report such an incident to the SCAQMD who will take the appropriate actions. Furthermore, the presence of visual dust does not of itself constitute a health hazard.

4th paragraph: Modeling indicates that the Project will not result in a local impact. Based on the severe daily criteria levels set forth by the SCAQMD, a regional impact (i.e., emission levels in excess of the SCAQMD daily criteria) is eminent for any mining project and no mining project, if properly documented and analyzed, would comply with the 55 pounds per day NOx criterion. However, mining, and its attendant emissions, are considered in the Air Quality Management Plan, and as the Project will contribute more than its share of aggregate with respect to its projected emissions than is forecast in the Plan, the Project is consistent with the assumptions set forth in the Plan and in this respect does not degrade the air quality in the South Coast Air Basin.

Response to Comment A-7: The following paragraphs address specific noise and vibration comments from Appendix A. Topical Responses N/B-1 through N/B-3 provide additional information on noise impact methodology.

1st paragraph: There is no need to identify each and every potentially sensitive receptor in the Santa Clarita Valley. The analysis examines a reasonable worst-case scenario. In this case, this worst-case scenario includes those proximate receptors indicated in the text as they are most prone to impact. Furthermore, the document does discuss impacts at those receptor locations deemed potentially significant and any proposed mitigation applies to all receptors.

2nd paragraph: The City requested additional noise analysis on the site's relationship to sensitive noise receptors and how topography may affect decibel levels and sound travel distances. The analysis of the proposed Project assumed reasonable worst-case conditions for proximate receptors that are most prone to impact. Additional information regarding identification of sensitive receptors, worst-case analysis methodology, and noise perception are presented in Topical Responses N/B-1 and N/B-2.

3rd paragraph: As discussed in the DEIS, noise generated by trucks will not be significant. Topical Response N/B-3 discusses and clarifies the analysis of noise from trucks.

4th paragraph: As noted on pages 3-137 and 3-138 of the DEIS, the Azusa site measurements were obtained within the pit at a distance of 100 feet from the noisiest end of both the shovel and truck performing the excavation. Beyond the equipment was a shear wall which reflected noise directly at the noise meter. This would then elevate the monitored noise levels, potentially by as much as 3 dBA. These artificially elevated noise level readings were then applied to the proposed Project and therefore represent a reasonable worst-case scenario. Local topography at the Project site would obscure site operations form offsite receptor locations reducing its noise and actual offsite noise would be less than that projected using the Azusa facility data.

5th paragraph: While the City of Santa Clarita is located approximately the same distance from the Project site as the community of Agua Dulce, some receptors within Agua Dulce (where monitoring was performed) have a direct line of sight of the Project area. This view is not afforded to receptors in Santa Clarita. Furthermore, the most proximate receptors in Agua Dulce are located more distal from the Antelope Valley Freeway and enjoy less local traffic than residents in Santa Clarita and would therefore theoretically be subject to lower ambient noise levels. Finally, during the scoping period for the DEIS and EIR, the Community of Agua Dulce specifically requested that noise measurements be obtained in their community. However, the inclusion of one community and exclusion of the other does not change the results of the analysis.

Response to Comment A-8: This site is outside BLM's jurisdiction and will not be affected by the Project. For their own part, TMC has indicated a willingness to work with Agua Dulce officials to investigate the possibility of a Franciscan missionary grave site outside the Project boundary to the southwest. Previous surveys of the site include records checks of past identified sites. Discussion of one historic archaeological site, LAN- 1847H is included in Section 5.1.9 of the DEIS and FEIS. This site would not be affected by the Project.

Response to Comment A-9: The following response discusses the City's comment regarding the slope stability analysis. Additional information regarding the methodology for the slope stability analysis can be found in Topical Response G-2.

The geotechnical analysis performed for this Project included numerous slope stability evaluations. The details of these analyses have been presented in several reports and referenced in the DEIS. These reports have been on file at the Los Angeles County Department of Public Works (LADPW) as well Transit Mixed Concrete offices during the entire public review process. The parameters used for the slope stability analyses are presented in the slope stability reports. Additionally, it is important to note that all of these reports have been previously reviewed by the Division of Mines and Geology (DMG) and also reviewed and approved by the LADPW prior to this public review process.

The slope stability analyses performed for the North Fines Storage Area utilized worst case cross-sections based upon the proposed final topography. These type of analyses primarily evaluate the

potential of deep seated failures. The analyses were performed under both static and pseudo-static (seismic/earthquake) conditions and have been conducted over a period of approximately ten years. Within that time, the proposed slope configuration has evolved and has subsequently changed. Additionally, the pseudo-static analysis has been re-evaluated, due partly to the 1994 Northridge Earthquake and also due to reforms in the general "Standard of Practice" within the geotechnical industry. Once again, all slope stability evaluations have been reviewed and approved by the LADPW.

Comment has been made regarding the surficial slope stability analyses and corresponding recommendations presented in the DEIS. To inhibit excessive erosion, minimum material strength parameters were provided for the outer 10 feet of the proposed North Fines Storage Area fill slope and final fill slopes. These strength parameters primarily address the cohesion of a soil or the presence and/or amount of fine grained material in a soil. It is anticipated that waste material having these soil characteristics will be readily available during the mining process. Examination of the finer grained portions of the onsite materials indicate that suitable soils exist onsite. Soils having different strength characteristic combinations of friction angles and soil cohesion would also be considered acceptable as long as suitable factors of safety are indicated in the analysis. If, by outside chance, the soil strength parameters are not met, then alternative methods such as additional compaction requirements on the outer face and/or soil reinforcement methods can be implemented. Onsite monitoring and laboratory testing will be conducted during the construction process to verify that these conditions are met.

The proposed slope angle shown on North Fines Storage Area Plan showing a contoured slope configuration was used in this analysis. The slope gradient varies and is 2:1 (horizontal to vertical) or flatter.

LADPW has no minimum relative compaction requirement for fill slopes on which no development is proposed. However, slope stability evaluations were required for the North Fines Storage Area. Our analysis was performed using low relative densities (75 percent relative compaction) which is considered to be a very conservative approach. Higher compaction requirements would yield higher Factors of Safety for the same slope stability analysis.

No additional work is proposed in regards to the silt pond and silt pile south of Soledad Canyon Road and these entities will remain as is. Additionally, the sand pile north of Soledad Canyon Road will be removed as per the DEIS

Response to Comment A-10: Information regarding the methodology for biological resources analysis and the reclamation/revegetation plan are provided in Topical Responses BIO-1 through BIO-3. Section 3.1.8 of the FEIS provides a discussion of methodology and analysis employed to address the commentator's concerns.

Response to Comment A-11: The location of the Project is clearly described with regard to hydrologic units and primary tributaries to the Santa Clara River, in Section 3.1.4.1. The City of Santa Clarita is located in the Eastern Hydrologic Subarea, downstream of the Project site. With the implementation of the mitigation measures listed in Section 3.1.4.3, impacts to downstream users, including the City of Santa Clarita, with respect to water quality will be less than significant. Flooding is addressed in Section 3.1.3. With the implementation of the mitigation measures in Section 3.1.3.3, impacts to downstream users, including the City of Santa Clarita, with respect to flooding will be less than significant. TMC will monitor runoff from the site as outlined in the Stormwater Pollution Prevention Plan (SWPPP) presented in Appendix B1. The SWPPP also contains information on stormwater sampling and anticipated characterization of runoff from the site.

The diversion of subsurface flow is another way of referring to the extraction of water by pumping. Thus the Water Resources section of the EIS addresses these questions. As noted, the SWPPP is presented in Appendix B1 of the EIS.

Information regarding control of stormwater runoff and the stormwater pollution prevention plan is also contained in Topical Responses WQ-2 through WQ-4.

Response to Comment A-12: Effects of the Project on the availability of water in the Santa Clarita Valley are addressed in Topical ResponsesWR-7 and WR-8.

Response to Comment A-13: If fines material is shipped offsite, it will most likely be used as construction fill or landfill cover, not waste. Topical Response ALT-3 discusses the Project's relationship to local and state recycling programs.

Response to Comment A-14: The Santa Clara River west of the Project site that is within the City of Santa Clarita boundary is included in the City's proposed River Plan. This plan proposes to develop recreational amenities including multiuse trail systems and habitat. The entire river has recently been included into the state recreational trails system and the County Master Plan of regional trails. The County eventually plans a multi-use trail along the river; however, no detailed planning for the river has been developed yet. Within the area of the Project, it has not been determined whether the trail will follow the river corridor.

The Project processing facilities and water resource extraction will be developed in Area B north of Soledad Canyon Road and north of the Santa Clara River, but not immediately adjacent to the river. It should also be noted that within the floodway, or watercourse itself, the Santa Clarita Valley Area Plan recommends that only certain extractive industrial (such as sand and gravel), agricultural, open space, light recreational and groundwater recharge uses be facilitated. Since the Project will not significantly impact trail use due to traffic or other aspects of the mining operation, no mitigation is necessary.

Response to Comment A-15: Topical Response CUM-1 discusses the methodology employed in the cumulative impact analysis. It should be noted that the cumulative impacts section of the EIS does identify other proposed mining operations in the immediate area. As for the discussion of incompatible land uses, cumulative residential projects would be inconsistent with the mining designation of the site and would also be inconsistent with the designation of the entire area known as Section B-2, in which the site is located, all of which has been designated as a Regionally Significant Construction Aggregate Resource Area under State law (SMARA), and would produce cumulative impacts.

Response to Comment A-16: The City raised issues concerning the lack of a more complete analysis of alternatives to the Project. Topical Response ALT-1 provides information regarding the consideration of alternatives to the Project. The alternatives to the proposed Project have been presented in comparative form pursuant to CEQ NEPA Regulations and to provide the BLM with a basis from which to select an appropriate alternative that meets stated objectives while minimizing impacts.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX B - FROM SUSAN O'CARROLL, PH.D., WILLDAN ASSOCIATES

Response to Comment B-1: Topical Responses ALT-1 and PD-2 discuss the development of Project alternatives and the Project objectives, and responds fully to this comment.

Response to Comment B-2: Topical Response PD-3 discusses the consideration of economic factors in the EIS. As a footnote, the County has observed that the movie industry occasionally uses mining sites in Los Angeles County as movie sets. Specifically, the Applicant's aggregate mine in Azusa was used for several months in 1998 and 1999 by Warner Brothers to film the movie Soldier. The Soledad Canyon mine site and the immediate vicinity has been used several times over the last several years by several filming companies including by Twentieth Century Fox, the American Film Institute, and MGM pictures. Consequently, the commentator's assertion that the movie industry would not find the area attractive as a site for movie production if the Project is built is not substantiated.

Response to Comment B-3: Topical Response CUM-1 and Topical Response PD-1 discuss the rationale for the aggregate quantities examined in the EIS, the Reclamation Plan implementation responsibility, and production capacity and Project phasing. As a point of clarification, the excavation of raw aggregate on the site ceased in 1986, however, the previous operator continued to remove and ship stockpiled materials up through 1992.

Response to Comment B-4: The schedule included in the DEIS provides both the average and the estimated maximum amounts of materials produced annually over the 20-year life of the Project. This level of detail is more than sufficient to evaluate impacts. The DEIS project description also describes the pre-production activities, some of which occur before mining begins. It is anticipated that all pre-production activities would be completed in the first two to three years of operations.

As stated in the DEIS, the 20-year contract period will start upon receipt of a mining permit. The DEIS has provided a reasonable estimate of the impacts over time based on the best information available as to start of operations. The Applicant expects to produce minerals for sale during the first year of operations, though the amount of minerals produced and the amount truck traffic generated for the first few years will be lower than the annual production levels assumed for Phase 1. However, the DEIS conservatively evaluates impacts (and will mitigate) based on the full Phase 1 production level.

Additional information regarding Project phasing can be found in Topical Response PD-1.

Response to Comment B-5: The Sediment Placement Site designation is described to the extent it is known in the DEIS. As mentioned in the document, the designation is made for the convenience of the County but there is no obligation that the Soledad site will ever be used for such purpose. Project impacts are not increased by this designation because the Applicant has agreed to adjust the product shipping schedule so there is no net increase in truck traffic should the County temporarily or periodically use of the site for sediment placement. Since the County is the lead agency for regional flood control and debris basin maintenance as well as the proposed Project, no County or other agency permits are required and no changes to Table 1.1-1 are necessary.

Response to Comment B-6: The Revegetation Plan for the Project is a component of the Reclamation Plan and is included in Section 2.2.2 of the DEIS. Other than the minor modifications required by DMG's comments on the reclamation plan and DEIS, no additional information for the revegetation plan is required under SMARA.

Response to Comment B-7: The Reclamation Plan is included in its entirety in Section 2.2 of the DEIS. It is taken verbatim from the full text of the Mining and Reclamation Plan (available for review at the County and at library review sites. DMG and the BLM may require minor modifications to the Mining and Reclamation Plan as a condition of Project approval.

Response to Comment B-8: NEPA does not require that the conditions of approval be attached as an appendix to the DEIS. The BLM will include in its ROD conditions to its decision, as necessary. The comments concerning the use of terminology "shall" and "should" are noted. Some mitigation measures have been changed in the FEIS to address this concern.

Response to Comment B-9: The bond amount of $1.4 million is sufficient to satisfy Federal, State, and County financial assistance assurance requirements. Section 2.2.4 has been revised to clarify the basis for the financial assurance calculations for the State. It should be noted that Contract CA-20139 between the BLM and TMC governs Phase 1, while Contract CA-22901 govern Phase 2 of the Project.

Response to Comment B-10: The location of the water wells and transmission facilities are clearly delineated on Figure 2.1-4. They are located on land owned by the C.A. Rassmussen Company who has leased the acreage to the Applicant for purposes of locating water facilities (see page 3-317 of the DEIS for additional details). The use of an above ground pipeline is incorporated to minimize disturbance in the SEA. However, the pipeline alignment traverses Rasmussen's mining area, which is highly disturbed. Extensive consideration of water resource impacts from the operation of these wells has been included in the DEIS.

Response to Comment B-11: Although mining excavations ceased in 1986, mining activity on the site did not. Significant stockpiles of material remained on the site after excavations were halted. These stockpiles were processed and removed from the site by truck, clearly an associated mining activity, up through 1992. Though the BLM does not disagree that residential development has increased in the area, mining has increased in the area as well (for instance, the Gillibrand Mining Project [now CalMat/Vulcan] to the west of the Project site was approved in 1997).

Response to Comment B-12: Topical Response G-1 addresses the geotechnical aspects of the ponds. See also Comment B-13.

Response to Comment B-13: Topical Response G-1 addresses the geotechnical aspects of the silt pile. The existing silt ponds are not a part of the Project and no structures are proposed to be built on the existing silt ponds.

Response to Comment B-14: No Project related activities will take place near the south silt pile and the Project will not increase risk associated with silt pile related hazards.

Response to Comment B-15: Further detail on site soils testing is included in the referenced reports on page 3-24 of the DEIS. Areas of contaminated soils will be removed in accordance with standard regulations (40 CFR 260 to 265 and State DTSC standards) that require the proper handling of any contaminated soils. Similar to a builder being required to comply with seismic codes when constructing a building, TMC is required to comply with soil contamination cleanup and disposal regulations for such material onsite. Because such regulations must be adhered to when dealing with such materials, there are no significant impacts.

Response to Comment B-16: The significance criteria related to water resource availability, as stated, include Project impacts which could interfere with other permitted water uses in the area.

The significance criteria related to sensitive habitats represents a level at which action must be taken to avoid irreparable damage to sensitive ecological habitats. The Habitat Monitoring and Protection Plan identifies these action levels and steps to be taken.

As used in this significance threshold, "substantially" is used as a term of art to distinguish from "de minimus" or negligible effects to water quality. This significance threshold is designed to avoid impacts to water availability in the area. It does not create a threshold that would allow greater than de minimus impacts to occur to water availability. The next comment concerns Criterion 2. As worded, Criterion 2 focuses on the "maintenance" of sensitive ecological habitats with respect to water supply. "Maintenance," as used in Criterion 2, refers to the stability of the ecological habitat. At the point that water use by the Project has an effect on the stability of the habitat, appropriate action will be taken by TMC. This approach will allow sufficient time to permit recharge to the habitat and to prevent degradation.

Response to Comment B-17: The effects of cumulative development on water resources is included in Section 3.1.4.

Response to Comment B-18: Reclamation of erosion control facilities and the stormwater desilting/ debris basins is addressed in Section 2.2.1.2 Final Reclamation Plan.

Response to Comment B-19: The first significance criteria of the Water Quality section addresses beneficial uses of water in the Santa Clara River Basin. This includes the unarmored threespine stickleback habitat.

Response to Comment B-20: It should be noted that the Basin Plan takes into consideration the existing cumulative environment as its baseline for water quality issues. The DEIS and FEIS cumulative projects analysis for foreseeable planned and proposed projects is presented in Section 3.1.15 of the DEIS and FEIS. Please also refer to Topical Response CUM-1 which clarifies the basis under NEPA for both identifying and addressing cumulative projects. Non-quantification of impacts in cumulative analyses are acceptable when the data available on cumulative projects is either unavailable, or speculative at best.

Response to Comment B-21: The commentator asserts that the DEIS fails to discuss potential effects of the dust palliative magnesium (or calcium) chloride on plants. The DEIS discusses that a combination of dust palliatives would be used on the Project site to control dust primarily on dirt roads relative to traffic, subgrade types, fines content, and climate (see DEIS 3.1.4.2). Relative to plants, the use of magnesium chloride would be limited to some roads on the Project site. While some salt build-up each year may occur on the roadway, high salt concentrations would extend no farther than the shoulder of the road. As rainfall increases and runoff travels farther from the road, the runoff from treated areas will mix with large volumes of runoff from untreated areas rapidly reducing the salt concentration in the runoff. See Section 3.1.4.2 for discussion of dust palliatives. No potential significant effect was identified to vegetation form the combination of dust palliatives that will be used at the site.

Response to Comment B-22: The statement that the commentator refers to is related to the concentration of the lignin sulfonate in relation to water. The lignin sulfonates that may be used for dust control would be applied to a relatively small area when compared to the site as a whole. During normal operations, normal water use would not result in disturbance of the lignin sulfonate treatment. The treatment, however, may leach out in periods of heavy rain. Relative to large amounts of stormwater that can flow off the site, the dilution factor would be such that any discoloration would not be apparent in surface waters.

Response to Comment B-23: Due to the low frequency of blasts and the low probability that such blasts may be strongly perceptible, the impact is considered to be more of a nuisance, but for the purpose of the analysis the impact may be potentially significant. On the other hand, because of the variation in human response to these blasting levels of vibration, the impact may also be not significant. Blasting mitigation, as presented in Sections 3.1.5 and 3.1.18 of the FEIS includes more than just a public awareness program. As part of many controls, the mitigation includes adherence to OSMRE regulations that require adherence to a blasting plan that includes measures to minimize air overpressure and vibration. Periodic monitoring of offsite locations to ensure compliance with the controls is also required.

Response to Comment B-24: The EIS noise analysis was based on a 14-hour per day workday. Excavation activities are not generally expected to occur past sundown. It should be noted that the Los Angeles Noise Ordinance, Section 12.08.390 sets the exterior standard for industrial properties (including manufacturing) at 70 dB. To be conservative, a 65 dBA CNEL was used for the analysis. Even if excavation were to occur over a longer day, and dBA would increase slightly, the impacts conclusion as presented in the DEIS for nearby receptors would still be potentially significant as already identified.

Response to Comment B-25: Mitigation measure N2 has been reworded in the FEIS to address this concern.

Response to Comment B-26: It is unknown at this time whether Bee Canyon will be constructed, therefore, it is unknown if impacts would occur. If Bee Canyon is constructed, and the mining operational noise level exceeds the threshold level, then berms or cut slopes may be constructed. Part of the consideration as to whether or not this area may be subject to noise impacts will be based on the final grading contours of the Bee Canyon project.

The mitigation requires that if a soundwall is to be constructed, that a detailed study will be conducted by qualified personnel in the fields of structural engineering, environmental noise assessment, and architectural acoustics. Since it is unknown at this time whether a soundwall will be constructed, and what it may look like, it is not possible to evaluate aesthetic impacts.

Response to Comment B-27: The policies associated with this corridor simply state that the County should apply the 60 dBA CNEL contour in its designation of residential land uses along the corridor and should monitor conditions contributing to these noise levels. Over time these contours are to be revised by the County and changes reflected on Land Use Policy Map. The traffic section presented in the EIS presents projected vehicle counts along the corridor while the noise section notes that the Project would contribute less than 2 percent of the future volume along the corridor. These values then present the County with the necessary data to update their Noise Contour and Land Use Policy Maps and no further action is required on the part of the Project Applicant.

Response to Comment B-28: The traffic section of the EIS presents County mitigation that will require the Applicant to contribute their fair share of payment to roadway surface maintenance. In addition, the Applicant will be required to apply mitigation in the form of keeping the surface paved roadway free of dust and dirt. Please see Section 3.1.11 of the FEIS.

Response to Comment B-29: Comments are considered with those presented in other portions of this response document. The air quality mitigation measures comply with the requirements of NEPA. In its ROD, the BLM will incorporate those mitigation measures it determines necessary for the Project.

Response to Comment B-30: As required for federal projects, an analysis has been prepared for the Project to demonstrate compliance with provisions of 40 CFR Parts 93-100 et seq, regarding Conformity of Federal actions to State or Federal Implementation Plans (SIPs and FIPs). The Project has been found to be in compliance. Information is contained within the FEIS. The SCAQMD has been involved throughout this process, and is in concurrence with the findings of the Conformity analysis.

Response to Comment B-31: The biological resources reported in the DEIS and have been updated as necessary to reflect the conditions of the Project site. Additional details on the biological survey process and the history of the surveys are contained in Topical Response BIO-1.

Response to Comment B-32: The location of the wells and pipeline for the Project are shown in Area B in the following figures in the DEIS: Figure 2.1-4 in Description of the proposed Project and in Figure 3.1.8-3 in Biota. The location of the three ephemeral drainages is shown in Figure 3.1.3-3 Flood of the DEIS. For clarification, a reference to Figure 3.1.3-3 has been added to the text in Biota in the section titled Wetlands and Other Jurisdictional Considerations.

Response to Comment B-33: The significance thresholds contained in Section 3.1.8.4 Biota Effected Environment have been set according to NEPA standards (40CFR 1508.27).

Response to Comment B-34: Impacts to two intermittent drainages are described in the DEIS in Biota Section 3.1.8.4 Wetlands and Other Jurisdictional Considerations. See also response to Comment 19 in Letter F-1.

Response to Comment B-35: Please refer to response to Comment B-21.

Response to Comment B-36: The water pipeline is an above ground pipeline as described in the DEIS and delineated on Figure 2.1-4. The pipeline will not require removal of vegetation for installation or operation (see response to Comment B-10). Impacts from pumping water from the Santa Clara River are considered potentially significant in the DEIS.

Response to Comment B-37: Please refer to response to Comment F-2, in Appendix F below.

Response to Comment B-38: NEPA and CEQA guidelines are different in respect to cultural resources. The EIS is not required to comply with the 1999 CEQA Cultural Resources guidelines. Federal documents must comply with criteria established for the National Register of Historic Places (36 CFR 60.4). The conclusions between the NEPA and CEQA documents are still consistent with each other.

Response to Comment B-39: Visual resources have been identified as a significant impact that cannot be mitigated to less than significant levels. The effects of ongoing mining at the site will continue to have visual impacts through the life of the Project. The NFSA will be the area of the Project most visible to the greatest number of viewers. The interim effect of the Project site is best demonstrated by what it will look like part way through the process by the depiction shown in Figure 3.1.10-5 in the EIS. This figure shows the NFSA at 40 percent completion.

Response to Comment B-40: The Reclamation Plan that is presented in Section 2.2 of the EIS will help the reader to understand the process. For example, for the NFSA, backfilled fines will be constructed in 4 to 5 foot lifts. Revegetation will be an ongoing process as the lifts are constructed.

Fills completed each year will be scheduled for seeding and planting in the following October to December timeframe. Mined slopes in the Cuts areas will be revegetated as soon as practical once mining in a particular area is finished with seeding similar to that of the NFSA. Please refer to Section 2.2 for more information.

Response to Comment B-41: Site preparation is described in the Reclamation Plan in Section 2.2. Topsoil salvage is addressed in that section. Due to the nature of much of the site, topsoil in the area of excavation is minimal. Depth and quality of topsoil to be salvaged will be determined as mining proceeds. The depth of topsoil application needed for reclamation will be determined by plant test plots.

Response to Comment B-42: The statement that the commentator refers to is related to the concentration of the lignin sulfonate in relation to water. The lignin sulfonates that may be used for dust control would be applied to a relatively small area when compared to the site as a whole. During normal operations, normal water use would not result in disturbance of the lignin sulfonate treatment. The treatment, however, may leach out in periods of heavy rain. Relative to large amounts of stormwater that can flow off the site, the dilution factor would be such that any discoloration would not be apparent in surface waters.

Response to Comment B-43: The potential for increases in the incidence of Valley Fever in the Project area as a result of the Project is minimal. Additional information has been added to Section 3.1.13, Public Health and Safety, regarding Valley Fever as presented below.

Valley Fever is primarily a disease of the lungs that occurs in the southwestern United States and northwestern Mexico. It is caused by the fungus *Coccidioides immitis*, which grows as a mold in soils that are sandy and high in salt, in areas of low rainfall, high summer temperatures, and moderate winter temperatures. These fungal spores become airborne when the soil is disturbed by winds, construction, farming, and other activities. In susceptible persons, infection occurs when a spore is inhaled. Within the lung, the spore changes into a larger, multicellular structure called a spherule. The spherule grows and bursts, releasing endospores. Each released endospore has the capacity to develop into mature spherules.

In California, the risk of infection is highest from June through November, and persons the most susceptible are those who work directly with the soil, including workers in construction, agricultural, archaeology, and others working with disturbed desert soils. The fungal spores are distributed unevenly in soil and are most abundant in soils around rodent burrows, Indian ruins, and burial grounds. It is also very important to note that the spores are usually found 4 to 12 inches below the surface of the soil, and typically in soils that have not been disturbed. In addition, the spores are susceptible to ultraviolet light and will not survive on the ground in direct sunshine (Valley Fever Center for Excellence, personal communication, 1999). These may be key in determining relative risk of the Project site as a contributor to Valley Fever (Galgianai 1993; Kirkland and Fierrer 1996; Snyder and Galgianai 1997).

The TMC sand and gravel mining operation would be disturbing 187 acres of soil over approximately 20 years. The amount of surface disturbance during the life of the mining will be in the range of 15 acres per year. Once the top 12 inches have been excavated, the active mining operations pose little risk to the public and site workers since it is extremely unlikely to find spores deeper than 12 inches below the surface. Further, the per year surface acreage to be disturbed at the Project site, when compared to other grading operations for development in the area, is significantly less than the projections for surface disturbance for individual area-wide residential developments.

Additionally, most of the area of surface disturbance is located on the south side of the ridge in areas which receive strong, direct sunshine and some of the mining will occur in an area of previous disturbance. Because spores are most likely to occur in undisturbed areas and are susceptible to ultraviolet light, these factors reduce the potential for the spores to occur on the TMC Project site.

Response to Comment B-44: The text of certain mitigation measures in the FEIS has been altered for clarity and to promote implementation if approved by the BLM in its ROD. The mitigation measures are consistent with those set forth in the separate CEQA documentation for the Project.

Response to Comment B-45: The Reclamation Plan is part of the proposed Project operation and is therefore, not a mitigation measure. Implementation of the plan is required under SMARA and must meet the requirements of federal regulations and laws pertaining to mining in 25 CFR 211 and 43 CFR 3802, 3809, 3500, and 3600. The plan is also required by the County of Los Angeles. Please also see the response to Comment B-44.

Response to Comment B-46: Topical Response CUM-1 has a full discussion of cumulative impacts methodology. It should be noted that the Kings County Farm Bureau case is a CEQA case concerning cumulative effects analysis. BLM acknowledges the approach of Kings County Farm Bureau, but has elected to adhere to NEPA guidance in its approach to the analysis.

Response to Comment B-47: The commentator is referred to the EIS Section 3.1.5, Noise. In that section, the Phase 1 and Phase 2 traffic mix with and without the Project are both presented. The mix of traffic on the roadway presented in tables in that text includes the cumulative traffic as part of the volume on the roadway. A statement will be added to Section 3.1.15, Cumulative Impacts, that traffic volumes for the Project assessment included cumulative projects.

Response to Comment B-48: The cumulative traffic analysis is consistent with Los Angeles County requirements for preparation of such analyses. Section 3.1.11 contains cumulative traffic volumes that were used for the assessment of the Project, and cumulative analysis.

Response to Comment B-49: Cumulative visual effects will incrementally increase the amount of landform disturbance within a viewshed. This includes existing mining, potential future mining (other than TMC) as well as the continued growth of residential development toward the site. Wording has been added to the text to clarify this issue.

Response to Comment B-50: Topical Responses ALT-1 and ALT-2 provide additional information on the consideration of alternate sites and rail haul alternatives.

Response to Comment B-51: The comment is editorial and does not raise any environmental issue. No response is required.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX C - FROM DOUG SANTO, WILLDAN ASSOCIATES

Response to Comment C-1: Information presented in the DEIS was derived from our findings and geologic literature over the last ten years. Methods of evaluating groundshaking has evolved significantly over this period. Earthquake magnitude information presented in Table 3.1.1-1 was derived from Table 25 of Professional Paper USGS 1360 - Evaluating Earthquake Hazards in the Los Angeles Region, then considered current.

Additionally, we concur that the term Maximum Probable Magnitude in Table 3.1.1-1 is outdated. The Final EIS has been revised to use the term Maximum Magnitude. No reduction or downgrading in magnitude was made as a result of in this change in terminology.

The more current Open File Report 96-08 maximum magnitude information was used for the most critical fault or design fault in relation to the Project site in Table 3.1.1-1. The San Andreas Fault has always been considered to be the design fault for the Project, not only due to the potential groundshaking capabilities, but also its estimated high slip rate and calculated recurrence interval. The San Gabriel fault is actually several miles closer to the Project site than the San Andreas fault but was not considered to be used as the design fault for the Project due to its much lower slip rate and longer recurrence interval. With the exception of the San Gabriel fault, the seismicity information for the other faults characterized are less than or equal to the seismicity of the design fault (San Andreas) and were listed primarily for informational purposes only.

Comments regarding Table 3.1.1-1 inaccuracies reflect the different references used for assigning a maximum magnitude earthquake for the site. Maximum magnitude information for the most significant fault or design fault to the Project site (San Andreas) did not change. The major point to realize is that after all factors are considered, the San Andreas Fault is the largest, most active, most potentially dangerous fault in relation to the subject site. The maximum magnitude associated with this fault is the most applicable to the site.

The attenuation curves considered applicable to the Project were Campbell's and Bozorgnia's 1994 attenuation relationship based upon the mean. We believe these curves are applicable to our method of analysis in considering a determination of a seismic coefficient (k). We concur that current practice in Southern California for both Deterministic and Probabilistic Seismic Hazard Analyses typically uses "mean plus one standard deviation, or the 84th percentile, attenuation curves," but these values are considered to be to conservative for use as a seismic coefficient value (k). The seismic accelerations obtained using the 84th percentile are more applicable for liquefaction analyses, dynamic settlement evaluations and structural considerations, not slope stability. As such, our analysis is considered sound and not overly conservative.

The use of the Campbell and Bozorgnia 1994 attenuation curve for hard rock has also been disputed by some. Our usage of the hard rock attenuation curve was based upon our experience with the Vasquez conglomerate and physical properties of the deposit. This was also verified with visual drilling rates and blow count information performed later onsite utilizing a Reverse Circulation Percussion Drill Rig.

Information presented in the EIS represented a transition period between ways of evaluating the seismic coefficient. Many consultants still use repeatable horizontal ground accelerations as a "k" value. Others use a long-standing standard of 0.15g "k" value in their analysis. Numerous theories with a wide range of end values have been presented over the years and there is still a lot of discussion within the geotechnical industry. Slopes do not behave like rigid structures. Additionally, the common types of methods used for slope stability analyses should not be considered to be precise, as they do not exactly duplicate actual occurrences. However, based upon information referenced in DMG Special Report 117, the seismic coefficient (k) used in pseudo-static slope stability analyses is not equivalent to the peak horizontal ground acceleration, as this is considered to be overly conservative. The determination of the seismic coefficient used in a slope stability analysis is the responsibility of the geotechnical consultant and should be based not only on fault proximity and maximum magnitude, but also on slip rate and recurrence interval. The maximum magnitude associated with the San Andreas fault was considered to be the most applicable for overall determination of a seismic coefficient (k) that

was used in our pseudo-static slope stability analyses. Our analysis used a 0.16g, the derivation of which was based upon a maximum repeatable acceleration from a maximum magnitude of 7.1M, utilizing Campbell and Bozorgnia 1994 attenuation curves for hard rock.

Current information referenced in DMG Special Report 117 (based upon Seed's 1979 article) suggests using (k) values as low as 0.10 for magnitude earthquakes of 6.5 and 0.15 for magnitude earthquakes of 8.25. Extrapolating between these endpoints would yield a (k) value of approximately 0.135g. Accordingly, the analysis in the EIS should be considered to be conservative.

Response to Comment C-2: The potential of soil liquefaction with respect to this Project is viewed to be only relevant if structures are proposed on potential liquefiable soils or if areas would be affected by lateral spreading (lateral movement of soils). There is no potential for soil liquefaction impacts related to the sand stockpile. As stated in the DEIS, the sand stockpile is a left-over pile of material in Curtis's old quarry area and will be removed during the mining process. No structures are anticipated near the silt pond or silt pile in Area B. The primary concern with respect to the silt pond and silt pile should liquefaction actually occur would be containment of material that makes up these areas. Since no habitable structures are proposed in this area, the worst scenario would be infiltration of finer silt material into the Santa Clara River, through lateral spreading. Additionally, in the extreme remote case in which liquefaction would occur, TMC maintains heavy earthmoving equipment onsite that could make any soil repairs to the onsite silt pile, should they occur. Accordingly, no detailed analysis is considered to be necessary.

The Santa Clara River will be no more or less potentially liquefiable as a result of the proposed mining Project than it is now. No permanent structures are planned within the river bottom area. No adverse impacts are anticipated if the Santa Clara River liquefied and no analysis is considered necessary.

Response to Comment C-3: As stated in the DEIS, the potential for compressible/collapsible material is very unlikely within the Vasquez Formation. The same is true for the crystalline bedrock materials onsite. In fact, the compressible/collapsible soil potential is only relevant if settlement-sensitive structures are proposed or if other settlement sensitive issues are a concern. No structures or settlement related issues exists within areas where potential compressible/collapsible material lie. Accordingly, no hazard exists and no analysis is considered necessary.

Response to Comment C-4: All information utilized to perform the slope stability analyses are provided in each individual report. The topographic base maps, proposed mining plans, geologic cross-section, soil parameters and ground motion parameters used for the analyses are included in each report. These reports have been on file at the Los Angeles County Department of Public Works as well Transit Mixed Concrete offices during the entire public review period.

Additionally, all of these reports have been previously reviewed by the Division of Mines and Geology (DMG) and also reviewed and approved by the LADPW prior to this public review process.

Response to Comment C-5: Topical Responses WR-6 through WR-8 discuss projected water use in relation to resource availability.

Response to Comment C-6: Topical Response WR-6 discusses the evaluation of pumping during wet, dry, and normal years.

Response to Comment C-7: Topical Response G-3 discusses the geologic impacts of water use related to the Project.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX D - FROM ELROY KIEPKE, WILLDAN ASSOCIATES

The commentator raises a number of concerns to conclude that significant impacts exist for a variety of parameters. The following responses, however address each individual concern and indicate mitigation that reduces or minimizes those impacts.

Response to Comment D-1: Mitigation measure F3 has been revised to address this comment.

The capacity of the desilting/debris basins is based on a 50-year capital flood event, which is equivalent to 135 percent of a 50-year 24-hour storm event. This results in a large margin of safety during normal and even high rainfall years.

Response to Comment D-2: The SWPPP dictates the training of employees for the storm water program with annual updates. This applies to all aspects of the storm water program including training employees as inspectors in the operations of the desilting/debris basins, including inspection parameters.

Response to Comment D-3: As noted in Section 3.1.3.2, the drainage facilities are based on a 50-year capital flood and are in accordance with the County Hydrology/Sedimentation Manual (1991). The final drainage plans and debris basin design must be reviewed and approved by the County Department of Public Works.

Response to Comment D-4: The temporary drainage control measures referred to by the commentator are measures which will be implemented during the construction period while the desilting/debris basins are being constructed. These measures are not proposed as control measures for operating phases.

Response to Comment D-5: The desilting/debris basins will be designed according to the County Hydrology/Sedimentation Manual (1991). Guidelines for the design of outlets for a 40-hour release time, are contained in this manual.

Response to Comment D-6: Maintenance schedule - The desilting/debris basins will be cleared annually by November before the rainy season and during the rainy season, when needed.

Response to Comment D-7: The SWPPP states that the majority of maintenance operations will be performed indoors. Only some maintenance of large equipment will be conducted outdoors. Any spills occurring during maintenance will be cleaned up according to the procedures contained in the SPCCP.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX E - FROM HANS D. GIROUX, GIROUX ASSOCIATES

Response to Comment E-1: The 15-minute Leq readings were not converted to CNELs and only serve to document short-term noise applicable to that point in time. The CNELs were based on data included in the traffic analysis as well as the methodology presented on pages 3-123 and 3-124 of the DEIS.

Response to Comment E-2: Please see the Response to Comment E-1.

Response to Comment E-3: The commentator refers to the County of Los Angeles Noise Ordinance Section 12.08.390 which sets exterior standards as:

Noise Zone	Designated Noise Zone Land Use (at Receptor Property)	Time Interval	Exterior Noise Level (dB)
I	Noise-sensitive area	Anytime	45
II	Residential properties	10:00 p.m. - 7:00 a.m. 7:00 a.m. - 10:00 p.m.	45 50
III	Commercial properties	10:00 p.m. - 7:00 a.m. 7:00 a.m. - 10:00 p.m.	50 55
IV	Industrial properties (includes manufacturing)	Anytime	70

These levels shall not be exceeded for a period of 30 minutes in any hour, or the standard plus 5 dB for 15 minutes in any hour, or the standard plus 20 dB (this is in all probability a typo in the ordinance and the intended value is 10 dBA) for 5 minutes in any hour, or the standard plus 15 dB for 1 minute in any hour, or the standard plus 20 dB for any period of time.

However, these standards are intended to include stationary noise sources and therefore only relate to the processing and batch facilities, and not the equipment involved in site excavation or the transport of materials over the site.

Section 12.08.090 defines "construction" as any site preparation, assembly, erection, substantial repair, alteration, or *similar action*, for or of public or private rights-of-way, structures, utilities, or *similar property*. Section 12.08.150 defines "fixed noise source" as a *stationary* device which creates sounds while fixed or motionless, including but not limited to residential, agricultural, industrial and commercial machinery and equipment, pumps, fans, compressors, air conditioners and refrigeration equipment. Finally, Section 12.08.220 defines a "mobile noise source" as any noise source other than a fixed noise source.

Section 12.08.570, D, of Part 5, "EXEMPTIONS" notes that various activities are exempt from Section 12.08.390. Of relevance are construction and forced-air blowers (potentially used in aggregate processing operations). In accordance with the included definitions, with the exception of the processing facility and batch plant, all onsite operations requiring heavy, mobile equipment fall under the definition of long-term construction (i.e., the Applicant is constructing a hole in the ground which will ultimately be reclamed). Heavy equipment operations are then subject to Section 12.08.440 "Construction Noise." Section 12.08.440, Part B defines acceptable construction noise levels at residential structures. With respect to mobile equipment, the maximum noise levels for non-scheduled, intermittent, short-term operations (less than 10 days) is included in the following table:

	Single-family Residential	Multi-family Residential	Semi-residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75 dBA	80 dBA	85 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	60 dBA	64 dBA*	70 dBA
* This is in all probability a typo in the ordinance and the intended value is 65 dBA.			

With respect to stationary equipment, the maximum noise levels for repetitively scheduled and relatively long-term operations (periods of 10 days or more) are included in the following table:

	Single-family Residential	Multi-family Residential	Semi-residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60 dBA	65 dBA	70 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	50 dBA	55 dBA	60 dBA

Any construction performed outside the hours outlined in the prior two tables is subject to additional regulation only if the sound creates a noise disturbance across a residential or commercial property line and no variance has been issued by the health officer.

Note that the ordinance does *not* define acceptable noise levels for long-term mobile sources and for the purposes of our analysis the limitations for long-term stationary sources (which are far more conservative than for short-term mobile sources) were used as the basis for the impact criterion. If these levels are extrapolated to CNEL values, single-family residential, multi-family residential, and semi-residential/commercial uses would equate to 60.1, 65.1, and 70.1 dBA, respectively.

With the exception of the River's End Trailer Park, which is zoned for Resort and Recreation, all adjacent lands in the Project area are zoned for Heavy Manufacturing or Heavy Agricultural. These designations are exempt from construction noise ordinance limitations and with respect to stationary noise source limitations (i.e., Section 12.08.390), and carry an exterior standard of 70 dBA at anytime. For these land uses the use of the 65 dBA CNEL is extremely conservative in that it places an artificially low cap on Project noise. (An allowable noise level of 70 dBA at anytime actually equates to a CNEL of 77.7 dBA.) With respect to the residents located at the Rivers End Trailer Park, this land use is construed as multi-family residential and as noted above, based on the use of the

construction criteria for stationary noise sources, would carry an allowable CNEL of 65.1 dBA. Therefore, the use of the 65 dBA CNEL as impact criteria is both warranted and justified. Those operations that are not defined as construction, and which would be subject to the exterior noise standards defined in Section 12.08.390 (i.e., the aggregate processing and batch plant facilities), are located sufficiently far and are substantially shielded from the Project by intervening terrain. As such, their noise levels would not be expected to exceed either the 50 dBA standard between the hours of 7:00 a.m. and 10:00 p.m. nor the standard of 45 dBA between the hours of 10:00 p.m. and 7:00 a.m.

Response to Comment E-4: Assuming a similar mix of vehicles, the commentator is correct that it would require a doubling in the number of vehicles to create a 3 dBA increase and significant impact. (Note that this noise increase is far less than that utilized by Caltrans which uses a 12 dBA increase as a criterion and would require that the traffic increase by 16 times for an impact to be significant.) However, the 3 dBA criterion is not based on a fallacious line of reasoning; it is based on acoustics and countless studies that show that a 3 dBA increase is barely discernable in the ambient environment. Furthermore, as noted in the text, regardless of the line of reasoning, the Project would only increase traffic on the Antelope Valley Freeway by less than 2 percent and the increase in noise is on the order of 0.1 dBA and would not be audible nor significant.

Response to Comment E-5: Cumulative impacts are discussed in Section 3.4 of the document. The use of rail transport is addressed in Section 3.5 of the document. Topical Response CUM-1 and Topical Response ALT-1 also discuss these issues.

Response to Comment E-6: Some new standards have been added since the DEIS was originally prepared. An updated Table 3.1.7-1 that now reflects the most current standards is included with the Final EIS.

Response to Comment E-7: The table was prepared in accordance with SCAQMDs most current available data when the document was prepared. An updated table as well as the relevant text is included in the FEIS. It should be noted that the air quality section contains revisions based on updated information and new mitigation measures incorporated into the Project by the Applicant. Section 3.1.7 of the FEIS contains the revised air quality section.

Response to Comment E-8: As noted in the text, the tiered measures refer to the 1991 AQMP and this information is only included to elucidate the reader. The 1994 AQMP incorporates Tier I measures into short- and intermediate-term measures. Tiers II and III have been consolidated and are now referred to as long-term measures.

Response to Comment E-9: The discussion of air toxics has been revised and is addressed in Section 3.1.7 of the FEIS. The Project will not emit air toxics subject to a federal standard as part of the National Emission Standards for Hazardous Air Pollutants (NESHAPS), nor will it be a source of Hazardous Air Pollutants (HAPs) under federal law. However, concerns have been expressed over the possible emissions of diesel particulates from the proposed Project. While no federal standard has been established for diesel particulates, the available state standard was used to assess the potential impact of diesel particulate emissions. Pursuant to this state standard, no adverse impacts associated with diesel particulate emissions were identified for the Project. In order to fully address any concerns over such emissions, Mitigation Measure AQ5 has been included in the Project to minimize emissions of diesel particulates.

Response to Comment E-10: The revised air quality section in the FEIS contains significance criteria pertinent to a NEPA document and also describes the differences between CEQA and NEPA in terms of significance (see Section 3.1.7.2). Air impacts result mainly from construction activities and onsite and offsite travel both during construction and after occupancy of the facility. Air quality impacts are considered significant under CEQA if they:

- exceed daily emission criteria established by the SCAQMD,
- interfere with attainment of air quality standards by either violating or contributing to an existing or projected air quality violation,
- violate SCAQMD Rule 402 (nuisance) or Rule 403 (fugitive dust), and/or
- generate pollutants that result in localized emissions exceeding State or National Ambient Air Quality Standards. This is typically demonstrated through a carbon monoxide (CO) hot spot analysis.

NEPA on the other hand, applies a different standard. NEPA examines a project's potential to exceed NAAQS or interfere with attainment of the national standards in the time frame referenced in the SIP. While the intent of daily criteria set forth by the SCAQMD is ultimately aimed at ensuring attainment of both the CAAQS and NAAQS, it does not consider the magnitude of individual projects with relation to the projections included in the SIP. Moreover, for purposes of NEPA, the daily limitations included in the SCAQMD Handbook do not apply to significant determinations. The general guidance under NEPA with respect to air quality significance is that a proposed action is not considered significant if the estimated emissions from the proposed action:

- have been anticipated in regional and state air quality planning,
- do not result in exceedences of the NAAQS,
- do not hinder the progress towards attaining and maintaining air quality standards, and
- are included and conform with the applicable AQMP and SIP and the project complies with local and state regulations.

Response to Comment E-11: The text does not state that construction would be limited to 1.05 acres; only that 15.8 acres worked over 15 months equates to 1.05 acres per month. However, even if the construction site was vastly expanded to 10 times this area (i.e., 10.5 acres per month), the resultant PM-10 from dust would equate to 117 pounds per day and when combined with PM-10 from exhaust emissions (i.e., 7.2 pounds per day) the resultant value of 124.2 pounds per day would not exceed the 150-pound per day criterion nor change the significance of the Project.

Response to Comment E-12: See response to Comment B-43. Also, a discussion of Valley Fever is included in Topical Response PHS-2 and has been incorporated into Section 3.1.13 of the FEIS.

Response to Comment E-13: As stated in their titles, Tables 3.1.7-5 and 3.1.7-8 only include exhaust particulates. PM-10 associated with dust are included in Tables 3.1.7-7 and 3.1.7-10. PM-10 emissions have been further assessed in the FEIS in Section 3.1.7.

Response to Comment E-14: As noted by the commentator, reduced emissions come from decreased competition with background traffic. A truck sitting in traffic and not moving produces the greatest level of emissions as well as the worst fuel economy (i.e., zero miles per gallon). For the most part, the emissions increase between 45 and 50 mph (the average non-peak hour freeway speed) is less than the emissions increase between 45 and peak hour average speeds of 26 to 33 mph as projected in Table A-9-5-F of the SCAQMD *CEQA Air Quality Handbook.*

Response to Comment E-15: The required mitigation includes the use of these covers except for aggregate which meet or exceed the specifications included in AB 3220, Clapton 1486. Because many of the trucks will not be owned or operated by the Applicant, the Applicant has no ability to restrict the method in which these trucks comply with the applicable requirements; only that they meet the requirements.

Response to Comment E-16: Emissions from SCAQMD permitted operations will not cause a significant change in offsite ambient concentrations. The Project will be required to meet all SCAQMD applicable rules and regulations, in order to obtain air permits.

It is also noted, that, as required for federal projects, an analysis has been prepared for the Project to demonstrate compliance with provisions of 40 CFR Parts 93.100 et seq, regarding Conformity of Federal actions to State or Federal Implementation Plans (SIPs and FIPs). The Project has been found by the SCAQMD and SCAG to conform with the 1994 SIP and the 1997 AQMP. Information is contained within the FEIS in Section 3.1.7.

Response to Comment E-17: Emissions offsets will be obtained as needed at the time of air permitting with the SCAQMD. Sufficient offsets are available for the Project.

Response to Comment E-18: Cumulative impacts are discussed in Section 3.1.15 of the FEIS. See also Topical Response CUM-1.

Response to Comment E-19: The use of rail transport is addressed in Section 3.2 of the FEIS. See also Topical Response ALT-2.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX F - FROM FRANK T. HOVORE, FH&A

Response to Comment F-1: The commentator restates the general impacts to wildlife acknowledged in the DEIS and the conclusion that impacts to wildlife are adverse but less-than-significant following reclamation of mined areas. To summarize and clarify the DEIS, the Project will result in the loss of 187 acres of wildlife habitat. Some of the less mobile species of wildlife will be less likely to migrate out of the proposed mining areas than the more mobile wildlife species. Because the Project will be phased over a 20-year period, the reduction in the available wildlife habitat will not occur all at one time, nor will all less mobile wildlife species be extirpated from the site. The phased mining of the site should allow for some of the less mobile species to gradually move away from those areas that are actively being mined. In addition, the concurrent revegetation over the life of the Project and final reclamation of the site will allow for the replacement of habitat prior to the removal of the total 187 acres. Additionally, as discussed in Section 3.1.8.4 of the DEIS, 45 onsite acres that are presently

disturbed and not reclaimed from previously mining operations have limited habitat value. The proposed Project will result in the reclamation of these 45 acres, thereby providing an additional natural resource benefit that equals approximately 32 percent of the proposed disturbance area of the Project. Eventually, 232 acres of wildlife habitat will be replaced as a result of the site reclamation and revegetation.

Localized extirpation of individual reptiles, rodents, and arthropods are likely to occur within areas of direct mining impacts. This will be somewhat offset through revegetation to provide suitable habitat for wildlife species following reclamation. It is not reasonably possible to determine the total diversity of wildlife species at the site. The assumption is made that because the site will be revegetated with coastal sage scrub and chaparral habitats based on those that exist onsite, most wildlife species presently found on the site will be able to utilize these areas for foraging, cover, and reproduction. This assumption is based on results from other reclamation and revegetation sites. Other reclamation and revegetation projects report wildlife use of larger mobile species as well as smaller less mobile species even within the first five years after revegetation. Small mammals, reptiles, and other burrowing species would be expected to occupy the mine site following the phasing of the reclamation and revegetation with native habitats. Evidence for wildlife habitation of mining reclamation sites has been documented at Vulcan Materials' Cajon Creek operation in San Bernardino. An active reclamation and revegetation program has been going on at this operation for a number of years. A San Diego coast horned lizard was recently observed in a reclaimed and revegetated portion of the mine (coastal sage scrub) during a Wildlife Society field trip. In addition, a translocation program was conducted to relocate San Bernardino kangaroo rats, a federally listed endangered species, from an area scheduled for mining to an appropriate location in the reclaimed and revegetated portion of the mine. Dr. Michael O' Farrell conducted baseline trapping surveys of the potential relocation site prior to translocating the San Bernardino kangaroo rats. The relocation site had been reclaimed and revegetated approximately 5 years prior to the study. Dr. O' Farrell found 6 species of burrowing rodents in the reclaimed area. He also has conducted two follow-up trapping surveys in the same area to document the continued presence and breeding condition of the translocated San Bernardino kangaroo rats. During each of his surveys he has documented San Bernardino kangaroo rats in breeding condition and he has documented the presence of juveniles (O' Farrell, August 1999). The Vulcan Materials' Cajon Creek operation has been successful in establishing suitable habitat for burrowing rodents, including the federally listed endangered San Bernardino kangaroo rat in a reclaimed and revegetated portion of this mine. This successful reclamation supports the claim that the mining reclamation and revegetation plan for the TMC Soledad Canyon mine may support common and sensitive species of wildlife after the habitats have become established. Additionally, evidence of wildlife use at the revegetated Coyote Canyon landfill in Orange County has been documented. The landfill was revegetated with native coastal sage scrub species in 1994 and currently supports a breeding population of endangered California gnatcatchers (Harmsworth Associates 1999[1]). The sensitive San Diego black-tailed jackrabbit, is another of the sensitive wildlife species that is documented using the site within three to five years of implementation of the revegetation. Other observations of wildlife include arthropods, additional rodent species and bird species, reptiles, coyotes, and deer. The Coyote Canyon landfill native habitat revegetation site is relatively isolated from other native habitats, and this site did not have the benefit of a phased revegetation program nor native topsoil application as is specified for the TMC Project's phased concurrent and final reclamation.

The commentator lists concerns regarding the efficacy of the proposed Project's revegetation program and the likelihood of successful re-habitation by native wildlife. Specifically, that the soils used for

[1] Harmsworth Associates: 1999 Avifaua Monitoring Report for the SJHTC Revegetation and Restoration Areas.

revegetation will be devoid of nutrients and organic matter. The FEIS restates and clarifies the proposed Project's commitment to topsoil salvage (see Section 2.2.2 of the FEIS). Salvaged topsoil has been used on many successful reclamation and revegetation projects to provide sufficient nutrients, organic matter, and beneficial soil organisms for the specified native habitats.

Regarding the efficacy of revegetation methods, as sited in the DEIS and presented in Appendix F3 of the DEIS, the reclamation plan includes Project site vegetation baseline data. As required by SMARA, project site revegetation will be subject to performance standards that are based upon the existing condition baseline data. Revegetation of aggregate mining sites and other highly disturbed sites has been successfully implemented in southern California, as previously discussed. Specifications to monitor the Project site until the performance standards are met are contained in the DEIS. The reclamation plan also specifies that remedial action will be undertaken until performance standards are met. The proposed Project incorporates industry standard methods for successful revegetation and stipulates (in Section 2.2.2 Revegetation Specifications of the DEIS) that successful new techniques and methods will be continually incorporated into the Project over the 20 year operation period.

The commentator expresses concerns regarding the proposed terrace grading associated with Project reclamation activities in that the terracing does not mimic natural terrain and that it will retard species growth rates and diversity. Terrace grading is implemented to provide slope surface stability and reduce sedimentation from the slope. Terracing is a method utilized for mining and roadway revegetation in Los Angeles County and San Diego County.

The commentator states that the revegetation will occur in stages as mining progresses and that this will result in a slower site recovery. The comment accurately reflects the proposed phased mining and concurrent revegetation approach, but the comment misses the biological point of the concurrent reclamation. The purpose of this concurrent revegetation approach is to implement reclamation activities as soon as areas are available rather than waiting until the end of the 20-year operation period. This approach will ensure that areas mined first are available for plant and wildlife species even as other portions of the site continue to be mined. Topsoil salvage will be most efficiently utilized if the storage period is relatively brief, as would be the case with the Project's concurrent reclamation where topsoil from an area to be mined could be applied to an area to be reclaimed.

The commentator states that there is no assurance that the proposed reclamation activities will result in the exact duplication of current site conditions, and performance standards must include site baseline data. As previously stated, the DEIS includes site baseline data as required by SMARA. Additionally, the DEIS states that proposed mitigation/reclamation will reduce Project biological impacts to a less-than-significant level based upon application of industry standard reclamation methods to be updated as appropriate over the life of the Project. The assumption is made that because the site will be revegetated with coastal sage scrub and chaparral habitats, most wildlife species presently found on the site will be able to utilize the reclaimed mine for foraging, cover, and reproduction. Wildlife use of reclaimed mining sites and other revegetated sites has been demonstrated, as previously discussed. The DEIS accurately describes the impacts to wildlife as reduced to less-than-significant levels with reclamation. Regarding assurances of reclamation success, and as previously discussed, specifications to monitor the site until the vegetation performance standards are met are contained in the DEIS. The reclamation plan also specifies that remedial action (e.g., seeding, planting, monitoring etc.) will be undertaken until performance standards are met. The proposed Project incorporates industry standard methods for successful revegetation and stipulates (in Section 2.2.2 Revegetation Specifications of the

DEIS) that successful new techniques and methods will be continually incorporated into the Project over the 20 year operation period. Furthermore, the Project applicant has posted a financial assurance performance bond to the BLM (Section 2.2.4 of the DEIS) to ensure reclamation of the Project site.

Response to Comment F-2: Regarding data that document bird activity, including nesting, in areas with noise levels at, or even exceeding, 70 dBA, the document preparers reference the following document: *"Final Noise Survey for the Construction and Operation of the International Wastewater Treatment Plant and Outfall Facilities at the Tijuana River, San Diego, California"* prepared for the Department of the Army by Chambers Group, 1992. That document includes numerous references documenting the following:

- Least Bell's Vireos nesting adjacent to major roadways where noise levels often exceeded 85 dBA;
- Least Terns sighted nesting adjacent to major roadways and highways, at the end of aircraft runways, and on Terminal Island adjacent to shipping activity. Noise levels in these locations often exceed 85 dBA; and
- Border Patrol helicopters hovering for several minutes at one time not more than 100 feet above trees containing snowy egrets. No birds took flight. Noise levels referenced during these periods were approximately 85 dBA.

Providing that the birds are able to hear each other's calls, both for territorial and mating purposes, no significant impacts would be expected. The ability to discern bird calls is relative not only to the total sound pressure level, but also to the frequency. Heavy equipment produces the majority of its noise below 500 Hertz (cycles per second). Bird calls are at a range considerably higher than this (on the order of a few thousand Hertz extending to beyond the upper limits of human hearing) and are typically discernable above the low rumble produced by construction equipment much the same way that a single piccolo is discernable above an entire symphony orchestra.

According to the noise study, the ambient noise levels in the Project area range from approximately 41 to 75 dBA. This ambient noise from the combined activities of aircraft overflights, other facilities operations involving heavy equipment operating, traffic on Soledad Canyon Road, the passing of trains, bird calls, and noise of the river in the area adjacent to the Project area. Eight trains per day pass by the Project area with the single event noise level reaching 74 dBA each time a train passes. Six of these trains occur during the daylight hours. The noise analysis does state that the noise levels resulting from the Project will not exceed 65 dBA in the riparian corridor (Area B). The birds residing in the riparian community are regularly subjected to noise levels higher than 65 dBA when each train passes. The determination of adverse rather than significant noise impacts to birds in the riparian corridor was based on the fact that the birds are regularly subjected to noise levels higher than 65 dBA.

The blasting will take place twice per week for the first 10 years of the Project and four times per week during the second 10 years of the Project. In addition, the blasting will only occur between the hours of 9:00 a.m. and 5:00 p.m. The blasting will cause more of a vibration than a loud noise. In addition, the blasting will occur on an infrequent basis, and the vibrations caused will be of very short duration. Thus, the blasting is not expected to significantly contribute to the overall noise levels affecting common and sensitive wildlife species.

Response to Comment F-3: The commentator restates previous comment regarding concerns relative to general efficacy of reclamation methods. Please refer to response to Comment F-1 and Section 2.2 of the FEIS.

The commentator questions the ability of the revegetation plan to meet the performance standards contained in the DEIS. Specifically, that 45 percent species diversity after five years is not possible to attain based upon the Project's inclusion of only twenty-nine percent of the site's existing vegetation species in the planting plan. The existing site baseline data referenced in the comment includes common non-native species as well as common native species that are disturbance followers. Revegetation experience demonstrates that these species are commonly found colonizing revegetated sites within the first two years. Additionally, the use of site-specific topsoil, as specified in the DEIS and clarified in the FEIS, generally results in the germination of a representative seed bank from the site. Additionally, please refer to the Final EIS Tables 2.2-1 through 2.2-5 regarding the addition of species to the planting plan. The species are added, in part, in response to State Office of Mine Reclamation observations of particular species naturally colonizing existing disturbed areas of the proposed Project site. The natural colonization of certain local species common to disturbed sites, salvaged topsoil application, and the addition of more species to the planting plan will result in over 60 percent of the species diversity contained in the baseline data for the target vegetation communities.

The commentator restates prior comments regarding reclamation method efficacy and expresses concern for the likely re-colonization of the site by species from adjacent lands. Please refer to response to Comment F-1 for a discussion on the efficacy of the reclamation plan. Both the phased concurrent reclamation and the proximity of natural adjacent habitats increase the likely re-colonization of the site by many plant species through seed dispersal by wind, wildlife, and topsoil salvage. Reclamation is a process that requires monitoring and evaluation over time. As previously stated in response to Comment F-1, the reclamation plan specifies that remedial actions will be undertaken, as necessary, until performance standards are met. The proposed Project incorporates adaptive management of the revegetation and reclamation process and stipulates successful new reclamation techniques and methods will be continually incorporated into the Project over the 20-year mining operation.

The commentator states that two species contained in the planting plan and identified as native but not occurring on the site, do actually occur on the site. The author asserts that the report preparers are not familiar with the site flora and are not familiar with the diversity success criteria for the revegetation effort. Please refer to DEIS Tables 2.2-1 through 2.2-3 which have corrected this oversight in the tables. Regarding species diversity success criteria, please refer to the first paragraph of this response.

The commentator states that details of the revegetation program (e.g., seed collection responsibility) are not clearly defined. Please refer to DEIS Section 2.2.2 Revegtation Specifications regarding details of the revegetation specifications, qualifications, and responsibilities including seed collection and storage, container plant propagation and planting, installation and establishment monitoring, performance monitoring and maintenance responsibilities. The specifications and assignment of responsibilities meet SMARA standards and have been reviewed by DMG. The BLM in its Record of Decision, will incorporate those mitigation measures proposed in the FEIS that it deems necessary to protect impacts identified in the document. In adopting these mitigation measures, the BLM will develop a program to implement the measures and to ensure that the measures will be enforced.

TMC is specified in the DEIS as responsible for implementing the reclamation, and is required under the specifications in the reclamation plan, as previously cited, to contract with qualified persons with experience in native plants for plant propagation, seed collection, and horticultural monitoring. Regarding the requirement for a performance bond under provision of SMARA, please refer to response to Comment F-1 that reiterates that the Project applicant has already posted this bond as stated in the DEIS (see Section 2.2.4).

Response to Comment F-4: The DEIS states that the Santa Clara River, and its tributaries (Agua Dulce Creek and Bear Creek), provide a wildlife movement corridor between different areas in the Angeles National Forest. The commentator is correct in his assessment that this movement corridor is regionally significant. The north/south movement corridors to which the commentator refers are the areas of the Santa Clara River and its tributaries, Agua Dulce Creek and Bear Creek which are not on the Project site and/or which will not be effected by the Project. The mining operations of the Project are separated from the Santa Clara River physically by the railroad corridor and Soledad Canyon Road. The Project will not effect the Santa Clara River as a wildlife movement corridor. Thus, the proposed mining Project is not expected to eliminate wildlife movement through the Santa Clara River corridor. It is also not expected to obstruct all wildlife movement along the east-west ridgelines in the vicinity. During active mining operations, wildlife movement along the central portion of the ridgeline that runs through the Project area may be diverted, but wildlife will be able to move through the areas that are not subject to active mining operations. In addition, following the cessation of mining and the final reclamation and revegetation of the site, wildlife species will have unobstructed access to the Santa Clara River corridor. Thus, the Project will not cause substantial interference with the movement of resident or migratory fish or wildlife species. Please note that the mining and reclamation will be phased over the life of the Project so all of the habitat will not be removed at the same time. In addition, reclamation will take place as the Project progresses so new habitat will become established before as existing habitat is removed.

The increased traffic volume on Soledad Canyon Road resulting from the Project and cumulative Projects will likely increase the number of wildlife fatalities over the current level. Future cumulative traffic on Soledad Canyon Road is expected to increase over time. Thus, the potential number of wildlife fatalities on Soledad Canyon Road may increase with or without the Project.

Response to Comment F-5: The commentator states that a significant riparian corridor passes through the Project site. As a point of clarification, the subject riparian corridor passes through the very southeastern portion of the Project boundary, but not within the mining operations of the proposed Project. The riparian corridor is separated from Project mining areas by the railroad corridor and Soledad Canyon Road. The commentator describes this general riparian corridor that was acknowledged in detail in DEIS Section 3.1.8.3 and Figure 3.1.8-4. The commentator asserts that the proposed Project could result in indirect impacts to the riparian corridor resulting from the combination of changes to wind patterns from changes to the slope contours adjacent to the river channel and potential effects from the proposed groundwater extraction. The author suggests that these combined effects could be considered significant adverse impacts that are not presented in the DEIS. The riparian habitat is native to the semi-arid San Gabriel Mountains and the region's Santa Ana winds. As a point of clarification, during much of the seasons for Santa Ana winds, correctly identified by the commentator as late summer, fall and winter, the cottonwoods and willows are dormant and in a leafless state. Thus, there is little effect from the drying Santa Ana winds on the riparian vegetation during the dormant stage. Leaf buds begin to swell in late winter, but these buds are protected from desiccation by bud scales. The commentator asserts that the combination of lowered water availability and increased drying effects could significantly reduce the riparian habitat and perhaps lower seedling recruitment rates by seasonally reducing surface flows of the river. As a point of clarification, cottonwoods and willows require moist, bare mineral soils for germination and establishment generally after periodic severe flooding in southern Californian rivers and creeks. As discussed in the DEIS in Section 3.1.2.2 and in Topical Response WR-6 of the FEIS, during normal and wet years there is sufficient precipitation on the watershed to meet Project demands and maintain surface flows in the river. The Project will not prevent the natural periodic flooding of the habitat that is essential for the health of the riparian habitat.

Sections 3.1.2.2 and 3.1.8.4 of the DEIS analyze the potential effect of uncontrolled subsurface water extraction on the subject riparian vegetation in the Santa Clara River adjacent to and down stream of the proposed Project. Uncontrolled subsurface extraction is considered a potential significant adverse impact in the DEIS for aquatic and riparian habitats in below normal precipitation years. Additionally, the DEIS recognizes that uncontrolled pumping potentially could effect the temporal recovery of the surface flow at the end and/or beginning of the wet season. The DEIS contains Measures WR1 in Section 3.1.2.3 and B6 in Section 3.1.2.8.5 that outline the Habitat Protection Program that is presented in DEIS Technical Appendix F6. Any combined effect from uncontrolled pumping and changes in wind patterns from the mining operation would be addressed by the Habitat Protection Plan. As previously discussed in this response, no additional impacts on the riparian habitat are anticipated from lowering the northeast-southwest trending ridge 200-feet in the mining area. The Habitat Protection Plan is a monitoring plan with action levels and responses to protect the aquatic and riparian habitat in the Santa Clara River adjacent to and downstream of the Project site. Monitoring includes mapping the extent and health of the riparian habitat in dry years. Action levels to protect the habitat are conservative, and responses to the action levels include the cessation of pumping. The action levels ensure surface flow for the permanent UTS habitat in the area of the cottonwood-willow riparian vegetation during the growing season. Therefore, surface flows for the UTS will ensure surface flow and subsurface moisture for the riparian habitat. The monitoring, action levels, and response actions will be subject to review by the appropriate regulatory and resource agencies as the Project proceeds. Factors of the plan such as interval of monitoring and the number of monitoring stations may be adjusted after initial monitoring seasons are reviewed by the regulatory and resource agencies. The plan is designed to be adjusted as necessary to protect the habitat. Another part of the habitat protection program is the annual removal of the exotic giant reed (*Arundo donax*) from the riparian corridor (as outlined in Section 5.4 of the Habitat Protection Program). Giant reed is an aggressive non-native species that can out-compete native riparian vegetation for water and space. This exotic species presently exists in the subject riparian habitat, and it reduces the extent, cover, and species values of the native cottonwood and willow riparian vegetation. Giant reed offers little habitat value to native wildlife. The removal of giant reed from the Santa Clara watershed is actively pursued by the USFS on its lands along the Santa Clara River near the proposed Project. Measures WR1 and B6 that outline the Habitat Protection Program reduce the potential significant adverse Project impacts for the riparian habitat to a level that is less-than-significant.

Response to Comment F-6: The commentator states that the sensitive plant species identified in the DEIS have particular requirements for seed germination and population persistence. As demonstrated from additional surveys conducted specifically for these sensitive species following a fire on the site (see Technical Appendix F8), the DEIS acknowledges that these species are fire and disturbance followers. The DEIS acknowledges the presence of these species onsite, and identifies potential impact to individuals of the populations. The DEIS specifies in Measure B2 in Section 3.1.8.5 to incorporate these species into the revegetation plan and to collect seed from the individuals that will be impacted. The commentator states that including these species in broadcast seeding will not be sufficient mitigation. The intent of Measure B2 was not to include the seed from these sensitive species in the general seed mix. The reclamation plan has been revised to clarify the methods of revegetation. Seed and topsoil will be salvaged during operations that will be used in the revegetation plan. Specific topsoil will be applied in the case of these sensitive species. As previously stated in response to Comment F-1, the reclamation plan specifies that remedial actions will be undertaken, as necessary, and incorporates adaptive management of the revegetation and reclamation process. The revegetation plan stipulates successful new reclamation techniques and methods will be continually incorporated into the Project over the 20-year mining operation.

The commentator states that indirect impacts to the federally listed endangered slender-horned spineflower from the north fines storage area were not considered in the DEIS. The DEIS acknowledges the population of this endangered species and provides an analysis of the Project debris/ desilting basins to adequately control sediment from the site into Bee Canyon (see Section 3.1.8.4). The spineflower population is over a half mile northwest from the edge of the north fines storage area, on the far side of both Bee Canyon and a dirt access road that runs up Bee Canyon. Activities in the north fines storage area will generate particulate matter in Phases 1 and 2 of the Project. However, the commentator assumes that the wind will continually blow from the Project in the direction of the spineflower population. Meteorological data and particulate matter concentration contours presented in Appendix E3 of the DEIS indicate that this assumption is not factual. Project measures will insure that fines will be wetted and compacted and the areas revegetated each year to control erosion. Given the 0.5 mile distance of the population from the Project, no direct or indirect significant adverse impacts will result to this population of slender-horned spineflower from the proposed Project.

Response to Comment F-7: The commentator's suggestions concerning additional information sources that document the existence of sensitive biological resources in the region surrounding the Project site are appreciated. At the time the DEIS was prepared, these documents were either not referenced or were of unknown existence to the document preparer. The information provided by the commentator regarding his experience in finding some of the sensitive species in the vicinity of the Project site is valuable for the analysis of potential for occurrence of the sensitive species. A discussion of some of the specific comments is included in the following bullets.

- Santa Ana sucker, unarmored three-spine stickleback, arroyo chub - The DEIS acknowledges that these three species exist in the entire reach of the Santa Clara River from the forest service campground to below River's end trailer park in the discussion of each species in the DEIS 3.1.8.3. However, these three species do not occur in Area A of the Project areas of mining. Because a small segment of the Santa Clara River falls within the boundary of Area B of the Project site, technically these three fish occur on the Project site outside any area of disturbance. Table 3.1.8-2 reflects the inclusion of these three species as found on the Project site. The addition of these species to the Table 3.1.8-2 does not change the conclusions of potential significant adverse impacts to these species from uncontrolled pumping as identified in the DEIS.

- Coast horned lizard, coastal western whiptail lizard, coastal rosy boa, coast patch-nosed snake - Each of the surveys conducted at the Project site documented either the plant species or wildlife species observed during the surveys. Repeated surveys were conducted at the Project site and during each survey, all species observed were recorded. The March, April, and May surveys were conducted at the appropriate time of year to detect reptiles and none of the reptiles listed above were observed. The March 1995 survey was conducted for the purpose of determining whether suitable habitat for the reptile species was present on the site. The purpose of the survey was not to find these species active aboveground, but rather to evaluate the habitat resources at the site. The information from the survey was used to assign the potential for occurrence designation for each of these species and to help determine the potential impacts of the Project on these species. Prior to the surveys, a number of data sources were referenced to help determine the historical records of these species in the Project area. Schoenherr's 1976 document, "The Herpetofauna of the San Gabriel Mountains" was not one of the references reviewed prior to the survey. Additional information on the potential occurrence of sensitive reptiles has been incorporated into the FEIS. The additional information does not change the conclusion that the impacts of the Project will be adverse but not significant.

The coastal western whiptail, which was documented on the site by R.Goodman (1994), and the San Diego coast horned lizard, if it is present in the Project area, would be expected to reinhabit the reclaimed and revegetated site if suitable habitat becomes established. Both of these species have been documented in the reclaimed and revegetated slopes at Vulcan Material's Cajon Creek (CalMat Division) operation in San Bernardino. A revegetation program at the San Bernardino mine has reestablished coastal sage scrub and Riversidian alluvial fan sage scrub on the finished slopes of the mine site. A recent Wildlife Society field trip was conducted at the site and both of these species were observed in an area that had been reclaimed and revegetated approximately 5 years prior.

Based on The commentator's documentation of the rosy boa and patch-nosed snake being found in adjacent areas, then it may be safe to assume that there may be a moderate to high potential for these species to occur on the Project site.

The southwestern pond turtle was not observed on the site or in the 1.5 mile reach that was surveyed by Mr. Goodman in 1994. This species does travel up and down creeks and rivers as part of its normal dispersal and distribution. Mr. Goodman found no evidence of this species in the area he surveyed and found limited ponded areas that would support this species. Thus, his conclusion was that the potential for occurrence of this species was low. If there is more recent evidence of this species occurring in the Santa Clara River corridor, and more specifically in Agua Dulce Canyon and Bear Canyon, then the potential that this species may move through the Project may be considered moderate to high. However, please refer to response to Comment 15 in Letter C-2 for a description of the potential habitat for this species in the affected environment.

The commentator states that the ring-necked snake occurs relatively commonly throughout the mesic riparian habitats along the Santa Clara River and in many tributary drainages. In which case, then the potential for this species to occur in the riparian habitat on the site may be moderate.

- Least Bell's Vireo - The least Bell's vireo has not been documented as breeding in the Project area but, because the Santa Clara River corridor supports suitable habitat for this species, and because it is known to occur in some portions of the river channel, the potential for occurrence of this species in the Project area may be moderate. Because the riparian habitat in the Project area will not be directly affected by the Project, the potential impacts to the least Bell's vireo, if it were present, would be adverse but not significant.

- Southwestern Willow Flycatcher - The southwestern willow flycatcher was not observed during surveys of the Project site. At the time of those surveys, this species was considered very rare and had been considered to no longer breed in the region. This species is still considered as rare in the area but if new evidence is present that this species actually breeds in the Santa Clara River and has been observed doing so just upstream of the Project site (near the Russ railway site), then the potential for this species to occur adjacent to the Project site may be moderate to high. Because the riparian habitat within the boundaries of the Project site will not be directly affected by the mining Project, the potential impacts to the willow flycatcher, if it were present, would be adverse but not significant.

- California Leaf-nosed Bat - Mining operations would cease at 10:00 p.m. and commence again at 5:00 a.m., leaving the 7 hours during the nighttime when bats will not be affected by mining operations. The suitable roosting sites that the commentator mentions are not located in the mining area but are located in the vicinity of the proposed well locations. The proposed production wells will not directly impact the roosting sites mentioned by the commentator. The presence of these

wells and any noise associated with the well operation would not be expected to adversely impact the bats that may be roosting nearby. The Habitat Protection Plan includes contingency measure designed to ensure the preservation of the riparian habitat. Thus, the bat foraging habitat in the riparian habitat would not be directly affected by the Project.

- San Diego Black-tailed Jackrabbit - The San Diego black-tailed jackrabbit was not observed on the Project site during the various biological surveys and it was not documented as present in any of the references used for the EIS. If this species was documented in Bee Canyon in 1992 by the commentator, then the potential that this species may occur on the Project site may be moderate to high. The habitat in the more level portions of the Project area could potentially support this species. Because the mining operation is phased over a long period of time, and reclamation and revegetation will occur as the Project progresses, the impacts to this species are not expected to be significant.

Response to Comment F-8: The 17 sensitive species mentioned by Mr. Hovore as occurring locally are not protected by either the State or Federal endangered species acts. They are considered sensitive because they may be regionally declining, regionally common but only occur locally in low numbers, or there may not be enough available information to determine if they are really quite common or if listing is warranted.

The following sensitive species have been added to the sensitive species table in response to Mr. Hovore's comments. They are not put in taxonomic order, rather, for ease in referencing the comments, they are included in the order that Mr. Hovore commented on them.

Species/ Common Name	Federal Status	State Status	Habitat Association	Potential for Occurrence Onsite	Potential for Occurrence in Neighboring Habitats
Corynorhinus townsendii pallescens/ Pale big-eared bat	FSC	CSC	Semiarid habitats, roosts in caves, mines, old buildings	Moderate to High (foraging)	Moderate to High
Anniella pulchra pulchra/ Silvery legless lizard	FSC	CSC	Loose sandy soils under riparian, oak woodland and chaparral vegetation	Moderate to High	Moderate to High
Thamnophis hammondii/ Two-striped garter snake	FSC	CSC	Found in or near fresh water, often along streams with rocky beds and riparian growth	Moderate to High	Moderate to High
Lampropeltis zonata parvirubra/ San bernardino mountain kingsnake	FSC	CSC	Rocky, heavily vegetated habitats	Moderate to High	Moderate to High
Falco mexicanus/ Prairie falcon		CSC	Grasslands, savannahs, rangeland, agricultural fields, and desert scrub	Flyovers possible, but no potential nesting areas onsite	Known to occur
Asio otus/ Long-eared owl		CSC	Riparian woodlands, groves, and plantings of larger trees	Moderate to Low	Moderate to High

Species/ Common Name	Federal Status	State Status	Habitat Association	Potential for Occurrence Onsite	Potential for Occurrence in Neighboring Habitats
Eremophila alpestris actia/ California horned lark		CSC	Open, sparsely vegetated scrub habitats, grasslands, and other open habitats	Moderate to High	Moderate to High
Lanius ludovicianus/ Loggerhead shrike	FSC	CSC	Prefers grasslands or open areas with scattered trees or other perch sites for foraging	Moderate to High	Moderate to High
Aimophila ruficeps canescens/ Southern california rufous-crowned sparrow	FSC	CSC	Open scrub and chaparral habitats, moves into areas that have been burnt, steep, rocky areas within css and chaparral	Moderate to High	Moderate to High
Amphispiza belli belli/ Bell's sage sparrow	FSC	CSC	Open, disturbed scrub habitat on steep, xeric slopes, dense, dry chamise chaparral and coastal slopes of css	Low to Moderate	Low to Moderate
Dendroica petechia brewsteri/ Yellow warbler		CSC	Riparian woodlands, montane chaparral, open ponderosa pine, and mixed conifer habitats	Moderate	High
Piranga rubra/ Summer tanager		CSC	Riparian groves dominated by cottonwoods	Low to Moderate	High
Spizella atrogularis/ Black-chinned Sparrow			Brushy arid slopes in foothills and mountains	Low to Moderate	Low to Moderate
Spizella Breweri/ Brewer's sparrow			Mountain meadows and sagebrush flats	Moderate	Moderate
Carduelis Lawrencei/ Lawrence's goldfinch			Prefers dry interior foothills and mountain valleys	Moderate to High	Moderate to High
Onychomys torridus ramona/ Southern grasshopper mouse	FSC	CSC	Grasslands	Moderate to High	Moderate to High
Bassariscus astutus/ Ringtail			Chaparral, rocky ridges and cliffs near water	Low to Moderate	Low to Moderate
Taxidea taxus/ American badger			Open grasslands and deserts	Low to Moderate	Low to Moderate

The potential presence of the additional sensitive species mentioned by Mr. Hovore does not change the conclusions of the DEIS in relation to impacts to biological resources. These species may be regionally common and the temporary loss of habitat resulting from the Project will not cause these species to be eliminated from the region. In addition, because the Project will be phased over 20 years and the habitat restoration will also be phased throughout the Project, there will continue to be habitat available as the Project progresses and after the Project is complete. Also, the Habitat Protection Plan for the

Santa Clara River will protect the sensitive riparian and aquatic resources and the associated sensitive wildlife species that may occur there. Most of the species mentioned by Mr. Hovore are found in the mining areas and not in the SEA. Furthermore, the species occurring in the Santa Clara River will be protected by the Habitat Protection Plan (See Mitigation Measures WR1 and B6). Thus, the resources in the SEA will be protected by the Habitat Protection Plan.

Response to Comment F-9: The riparian brush rabbit should have been omitted from Table 3.1.8-2 prior to the release of the draft document. It was inadvertently included in the table by mistake. This species would not be expected to occur on the Project site, and as the commentator correctly states, it is only known from the northern portion of the Central Valley.

Response to Comment F-10: The commentator restates the conclusions of the DEIS that uncontrolled pumping from the underflows of the Santa Clara River would result in significant adverse impacts to the habitat of several sensitive fish species, most notably the endangered UTS. For clarification, while the Santa Ana Sucker is proposed for listing as threatened, the population in the Santa Clara River is not included in the proposed rule; however, this population is still considered sensitive in the Project FEIS. The commentator states the monitoring provisions for the habitat protection plan are not adequate. Project evaluation included multi year studies on the endangered UTS and the river habitat conducted in the area of the river likely to be effected by the pumping. Monthly monitoring of the river for habitat characteristics was conducted during drought years and after flood flows. A habitat protection plan (see Technical Appendix F6) was developed as part of the mining program and as mitigation for the Project. The plan was developed in conjunction with various federal, state, and local agencies. Specifically, the plan has been reviewed and accepted by USFWS and SEATAC. The plan specifies monitoring methodology for areas expected to be effected by pumping and for a reference area upstream of the Project. Responses to the monitoring program are tied to specific actions that will protect the habitat of the endangered fish by regulating and/or stopping pumping from the river alluvium. The action levels for the habitat monitoring plan are based on the continued presence of surface flows and the quality of the surface flows in the river. Overall, the action levels for the plan are based on habitat quality requirements that are well within the known requirements for the fish. Basically the plan ensures sufficient surface and subsurface flows to maintain the UTS. Therefore, it is expected that the plan will serve to protect the habitat of this endangered species and other sensitive fish and amphibian species as well as the associated riparian vegetation. The plan specifies annual monitoring or the riparian habitat in the area adjacent to the Project and downstream of the Project.

The habitat protection plan is a monitoring plan with action levels and responses to protect the aquatic habitat and riparian habitat in the Santa Clara River adjacent to the Project site. Action levels to protect the habitat are conservative and responses to the action levels include the cessation of pumping. The monitoring, action levels, and response actions will be subject to review by the appropriate regulatory and resource agencies as the Project proceeds. Factors of the plan such as interval of monitoring and the number of monitoring stations may be adjusted after initial monitoring seasons are reviewed by the regulatory and resource agencies. The plan is designed to be adjusted as necessary to protect the habitat. The habitat protection plan is suitable to monitor and protect the UTS and its habitat.

Response to Comment F-11: Summary and Conclusion

- The sensitive wildlife species table has been revised to include the 17 species mentioned in Mr. Hovore's comment letter. In addition, the changes in status of some species and their potential for occurrence has also been included in the revised table.

- The DEIS adequately addresses the resources in the vicinity of the site based on the references that were acquired and reviewed during the preparation of the DEIS. Apparently, a number of other reports had been completed that documented occurrences of sensitive wildlife species in the vicinity of the site that were not observed during surveys conducted for the DEIS. These other reports, that were mentioned by Mr. Hovore in his comments, were not reviewed during the preparation of the DEIS. A number of the references have been reviewed since the release of the DEIS and any changes in the impacts analysis that are required to deal with these sensitive wildlife species have been discussed in the detailed response to comments.

- The timing of the surveys was not planned to avoid making observations of common and sensitive wildlife surveys. Surveys were conducted in March, April, and May and the presence of common and sensitive species of plants and wildlife species were documented if they were observed during the surveys.

- The assumptions regarding species diversity and occurrence have been revised to include the additional information provided by commentator. The assumed potential presence of additional sensitive wildlife species in the Project vicinity does not constitute a change in the determination that the Project will result in adverse rather than significant impacts. The Habitat Protection Plan will ensure that the riparian habitat and the habitat for the aquatic species will be protected. In addition, restoration of the site with native vegetation as the Project progresses over the long term will provide suitable habitat for common and sensitive wildlife species.

- Comment on Noise Impacts - See response to Comment F-2.

- Comment on Habitat Protection Plan - See response to Comment F-10.

- Comment on Wildlife Movement Corridor - See response to Comment F-4.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX G - FROM ED CLINE, P.E., WILLDAN ASSOCIATES

Response to Comment G-1: Topical Response T-1 provides detailed information on traffic analysis methodology, including the selection of the PCE. The roadway modifications included in the project description will provide for traffic safety. The Project volumes do not meet traffic signal warrant volumes, thus a Project driveway traffic signal is not warranted.

Response to Comment G-2: The ICU method of intersection analysis was used pursuant to Los Angeles County Traffic Study guidelines. Topical Response T-1 further describes the justification for the use if the ICU methodology.

Response to Comment G-3: The TMC Project is projected to add traffic to the segment of the Antelope Valley Freeway south of the Soledad Canyon Road interchange. The added volumes in the A.M peak hour are 41 northbound and 47 southbound and in the P.M peak hour 19 northbound and 29 southbound. These volumes are less than one-third of the 150 peak hour volume in either direction criteria contained in the CMP, indicating that the TMC Project would not significantly impact freeway operations. Topical Response T-2 provides additional discussion of the methodology for evaluation of impacts to the freeway system.

Response to Comment G-4: Topical Response T-1 provides discussion of the PCE methodology. A discussion of PCE is also provided in the Roadway Operations section under Methodology of the report entitled "Transit Mix Concrete Facility in Soledad Canyon, County of Los Angeles, California, Traffic and Circulation Study, ATE Project #97095, May 7, 1998." This report is provided as Appendix D of the EIS.

Response to Comment G-5: The list of related projects were provided by LA County staff. In the evaluation of the cumulative projects, those that were operational at the time of the traffic counts were not double-counted by adding their traffic to the analysis. The traffic assignment for some of the projects determined that they would not add traffic to the study area intersections or roadways, thus the added traffic volume from those projects was zero. To allow for other projects and/or traffic growth, Los Angeles County Public Works directed the inclusion of a 1.5 percent per year growth factor to be applied to the existing volumes. Discussion of the PCE methodology is provided in Topical Response T-1. The trip generation for the CalMat project was taken from CalMat project documents.

Response to Comment G-6: PCEs do not enter into the Traffic Index and related pavement structural section analysis. Topical Response T-3 discusses the traffic index and pavement impacts section analysis.

Response to Comment G-7: The TMC Project's pro-rata share of the improvements were calculated pursuant to LA County Traffic Impact Analysis Guidelines. Topical Response T-1 discusses the PCE methodology. No reassessment is necessary.

Response to Comment G-8: See Topical Response T-1 and response to Comment G-1.

Response to Comment G-9: See Topical Responses T-1 through T-3 and response to Comment G-1.

RESPONSE TO CITY OF SANTA CLARITA APPENDIX H - FROM THOMAS KIRK, P.E., WILLDAN ASSOCIATES

Response to Comment H-1: Relevant data are provided in the technical appendices of the report entitled "Transit Mix Concrete Facility in Soledad Canyon, County of Los Angeles, California, Traffic and Circulation Study, ATE Project #97095, May 7, 1998." (Appendix D of the EIS) and/or on file with LA County. The Los Angeles County Department of Public Works, Traffic and Lighting Division provided a memo dated February 2, 1999 to the Planning Division in which the TI for the Project were modified from the ATE letter of February 19, 1998. The DEIS included the Traffic and Lighting Division's comments. The memo is on file with the County. Additional information on pavement impacts is provided in Topical Response T-3.

Response to Comment H-2: Information on pavement impact and traffic index methodology is provided in Topical Response T-3. The truck volumes for each section include the "other" Project truck projections.

Response to Comment H-3: Information on pavement impact and traffic index methodology is provided in Topical Response T-3. The Los Angeles County Department of Public Works, Traffic and Lighting Division provided a memo dated February 2, 1999 to the Planning Division in which the TI for the Project were modified from the ATE letter of February 19, 1998. The DEIS included the Traffic and Lighting Division's comments. The memo is on file with the County.

Response to Comment H-4: See Topical Response T-1and response to Comment H-1. The RMA evaluation was for an earlier scenario and they were given the criteria of TI 11.0 for use in the preparation of their report. Subsequently, the Project and other projects were further defined and the current projection of the TI's established. The earlier item that was evaluated by RMA included some widening of the roadway, thus the statement in their report. The analysis of the structural section in not affected by the assumption of roadway widening, thus the data is applicable to the Project under consideration.

Response to Comment H-5: The traffic impact analysis, which was completed according to County requirements, identified the necessary mitigation for Soledad Canyon Road.

Response to Comment H-6: This comment suggests building a separate road to serve the site. The traffic impact analysis found that Soledad Canyon Road, with the mitigation required by the County, could provide adequate access for the site.

Response to Comment H-7: The traffic section of the EIS presents County mitigation that will require the Applicant to contribute their fair share of payment to roadway surface maintenance. In addition, the Applicant will be required to apply mitigation in the form of keeping the surface paved roadway free of dust and dirt. Please see Section 3.1.11 of the FEIS.

L-2: LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING, FROM MORRIS LITWACK, SECTION HEAD, ZONING ENFORCEMENT, DATED 8/13/99

This letter does not contain comments on the DEIS or SDEIS, but was submitted to the BLM with other letters regarding the proposed Project.

L-3: CITY OF SANTA CLARITA, FROM JO-ANNE DARCY, MAYOR, DATED 6/10/99

Response to Comment 1: The public comment period for the DEIS was extended to coincide with the comment period for the SDEIS.

L-4: SAUGUS UNION SCHOOL DISTRICT, FROM GAIL WICKSTROM, SUPERINTENDENT, DATED 10/19/99

Response to Comment 1: Thank you for your letter. Your opposition to the Project is noted.

L-5: CITY OF SANTA CLARITA, FROM JEFFREY LAMBERT, DIRECTOR OF PLANNING AND BUILDING SERVICES, DATED 1/4/00

Response to Comment 1: Please see the response to Comments 1 and 2, Letter L-1.

Response to Comment 2: Please see the response to Comment 3, Letter L-1.

Response to Comment 3: Please see the response to Comment 4, Letter L-1.

Response to Comment 4: Please see the response to Comment 5, Letter L-1.

Response to Comment 5: Please see the response to Comment 6, Letter L-1.

Response to Comment 6: Please see the response to Comment 7, Letter L-1.

Response to Comment 7: Please see the response to Comment 8, Letter L-1.

Response to Comment 8: Please see the response to Comment 11, Letter L-1.

Response to Comment 9: Please see the Response to Comment 12, Letter L-1.

Response to Comment 10: The SDEIS contained an updated air quality analysis for both the Project and the Reduced North Fines Storage Alternative. This information has been included in the FEIS Sections 3.1.7.2 and in Appendix E-2. The updated information relating to rock plant emission calculations applies to any alternative that includes this function as part of the alternative. Calculation methods for air quality impacts are updated constantly, however the trend is that emission estimates tend to decrease with new information because lead agencies use conservative calculation procedures. The information contained in the FEIS has been updated, and further updates will not change the results or the conclusions.

Response to Comment 11: The comment related to the adequacy of the conformity analysis. A final conformity determination appears in Appendix E-6 of the FEIS. Information on the Project stationary source emissions (PM10) with respect to the mineral processing category were used as an indicator for the draft conformity determination. The fact that aggregate need and the emission budgets in the SIP are both based on population is the basis for concluding the that the mobile source emissions (NOx and VOC) are included in the applicable SIP. Both the aggregate need and SIP population projects are consistent and are based on data from the California Department of Finance. In response to the specific comments raised by the commentator, we provide the following:

The Division of Mines and Geology (DMG) has spent many years studying the relationships regarding aggregate production and consumption. They predict aggregate consumption based on population in Report 94-14 which includes the greater Los Angeles region, not just Los Angeles County. The estimate of 58 million tons stated in the SDEIS is consistent with the methods used by the DMG.

The commentator states that we have assumed that there is no import or export of aggregate to or from areas outside the SCAB. This statement is correct and that assumption is also used by the DMG in preparing their reports. However, as noted on page 2-15 of the SDEIS (also contained in Appendix E-5 of the FEIS), aggregate is a low value-to-weight commodity and the average cost of a ton of aggregate doubles when it hauled a distance of 35 miles. While it is certainly possible that material could be transported out of the air basin, the fact is that the basin is rapidly running out of aggregate resources to meet demand. The proposed TMC facility will meet aggregate demand that is already present in the basin and while imports are likely, the volume of material that is shipped out of the basin is expected to be very low. The distance this material would have to be shipped to transport it out of the basin would make the material very expensive in these other markets relative to locally-produced material. Transporting material this increased distance will also cause additional air pollution generated by trucks. As stated in the analysis, greater environmental impacts will result from importing material from outside the basin than from implementation of the Project.

The commentator comments that the analysis incorrectly assumes that all mineral processes in the District produce emissions in proportion to tonnage at the same rate as the proposed Project. The analysis evaluates the Project emissions with respect to the emission budget in the SIP, and demonstrates that Project emissions are within the levels considered in that budget. The SCAQMD

generally factors the implementation of new control measures that would apply to all sources into the emissions budget. The Project will be subject to BACT. In the next 10-20 years many of the existing facilities in the SCAB will be modified, which would require BACT, or will run out of aggregate reserves and requires new permits at new locations which would also require BACT.

The commentator suggests that the analysis incorrectly assumed that assumption that aggregate is the sole mineral process which needs to be considered in the analysis. Emissions from the mineral process category have been further evaluated using backup reports obtained from the SCAQMD. Several mineral process types that are not included in the Project description (i.e., asphalt production) are included in the mineral process category. The final conformity determination located in Appendix E-6 contains revised data, however this data does not impact the conclusion that the Project conforms to the applicable SIP.

The commentator suggests that the analysis should be based solely on industry output. As noted on page 2-15 of the SDEIS (and in Appendix E-5 of FEIS), "[d]emand for construction aggregate materials is predicted by the DMG based on population projections as discussed on page 1-11 of the DEIS (and the FEIS) and aggregate production operations are not considered to be growth inducing." The DEIS and SDEIS do not attempt to calculate changes in production or emissions using population figures, industry output, or any other means. What the demand/population analysis in the SDEIS does is show that the Project emissions are accounted for in the State Implementation Plan (SIP). The emission estimates were provided by the SCAQMD based (according to the AQMP) on industry growth. The production estimates were provided by the DMG. The demand/population analysis shows that the Project is indeed accounted for in the SIP.

The commentator suggests that mining include all activities covered under SIC codes 10-14. Thus existing and cumulative projects included in these SIC codes should be included in the analysis. This comment is incorrect. The Mineral Process category does not include all activities in SIC codes 10-14, and all appropriate stationary source industrial activities related to the Project are included in the mineral process category. The SIP budget, by definition, accounts for existing and cumulative projects.

Table 2-4 in the 1997 AQMP states that Point Source Industries in SIC Codes 10-14 are included in *Group 1: Source Categories Use Industry Output as Growth Factors*. However, the numbers that were used to develop Tables 2.2.4-8 and 2.2.4-9 in the SDEIS come from the Table 2-13 *Summary of Emissions, 2010 Projected Annual Average Emission Inventory for the South Coast Air Basin* in the 1994 AQMP. The emissions that were used to calculate the percentage of emissions (from Table 2-13) are specific to the industry in question (*Mineral Processes*).

It would be inappropriate to calculate all "existing and cumulative" projects included in SIC Codes 10-14 as the City suggests, because these SIC codes include other mining such as metal mining, coal mining, and most importantly, oil and gas extraction. Performing an analysis of the expected production of the oil and gas industry in the area is inappropriate because the emissions from these processes are included in different source categories in Table 2-13 of the 1994 AQMP. For example, *Oil and Gas Extraction* is a separate category in Table 2-13.

The commentator further requests a proper industry output-based analysis that looks at the effect of the Project in combination with all existing and proposed mineral processes within the Air District. The analysis is unnecessary because aggregate demand figures are already available from the DMG (as discussed above). To do an analysis of "existing and proposed mineral processes within the District" would duplicate the efforts of the SCAQMD and SCAG in preparing the SIP. In addition, most of the actual production data is proprietary and not available to individual operators, but is

included in the DMG projections. The most reliable information regarding this industry is an analysis of data provided by the DMG and the SCAQMD, two independent and impartial government entities.

Response to Comment 12: The commentator suggests that the information presented in Tables 2.2.4-8 and 2.2.4-9, is incorrect. The numbers listed in Tables 2.2.4-8 and 2.2.4-9 are the numbers from the 1994 AQMP (not the 1997 AQMP as listed in the title of the table). Although it is regrettable that this table was mislabeled, the numbers in the table are correct. The 1994 AQMP values are the correct numbers to use in this calculation because the 1997 AQMP has not been approved. Use of the 1994 AQMP was confirmed by South Coast Air Quality Management District staff. Thus the percentages listed in the SDEIS are correct. This typographical error has been corrected in the conformity analysis discussion of the FEIS.

Response to Comment 13: The alternatives analysis in the FEIS reflects full consideration of possible alternatives designed to meet the objectives of the Project. Additional text has been incorporated into the FEIS addressing the RNFSA Alternative. Please see Topical Response ALT-1 for a discussion of alternatives for the Project in compliance with NEPA.

Response to Comment 14: The conveyor mitigation for the RNFSA Alternative does reduce and minimize certain impacts for that alternative, in compliance with NEPA requirements. Please see Topical Response ALT-1 for further discussion of this issue.

Response to Comment 15: Alternatives to the Project were selected based on a limited range of options related to the BLM's ownership of only the mineral rights at the site, the settlement in the U.S. District Court litigation, and the contract with TMC. Topical Response ALT-1 discusses the rationale for the selection of alternatives.

Response to Comment 16: Please refer to Comment 10 in the City of Santa Clarita Letter L-1.

Response to Comment 17: The Alternatives (Section 3.2) has been expanded to address all disciplines and present all mitigations. Except for air quality and visual analysis areas, in the APA (RNFSA Alternative) has no substantial differential in the degree of impact to other resource disciplines in comparison to the proposed Project. Topical Response ALT-1 has a full discussion of this issue.

Response to Comment 18: Please see the response to Comment 10 of this letter.

Response to Comment 19: The letters referred to are responded to within this FEIS.

Response to Comment 20: The comment is general in nature and raises no specific issues with regard to the EIS. No response is necessary.

L-6: COUNTY OF LOS ANGELES DEPARTMENT OF PARKS AND RECREATION - FROM KIMEL CONWAY, CHIEF OF PLANNING, DATED 1/6/00

Response to Comment 1: Please refer to Response to Comment A-14 in Letter L-1.

L-7: SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS, FROM J.DAVID STEIN, MANAGER, PERFORMANCE ASSESSMENT AND IMPLEMENTATION, DATED 1/6/00

Response to Comment 1: We appreciate your review. No response is necessary.

L-8: NEWHALL COUNTY WATER DISTRICT, FROM THOMAS E. SCHOLLENBERGER, GENERAL MANAGER, DATED 1/5/00

Comments in this letter were addressed to EIR issues. However, to the extent they apply to the EIS, they are addressed below.

Response to Comment 1: Water usage for the Project is addressed in Section 3.1.2.2 under TMC's Projected Demand for Water. Water use for the Project is estimated to average 442 AFY for Phase 1 and 746 AFY for Phase 2. The usage noted in the Answer to Vested Rights is the average usage over the life of the Project, or 598 AFY. The amount of appropriated water to be used is 322 AFY, with the remainder to be diverted under riparian rights.

Response to Comment 2: The EIS states that "Relative to regional impacts, it is evident that TMC's projected water use should be considered nonsignificant and that it does not constitute a significant regional impact." The Pinetree wells are located approximately three miles downstream of the proposed extraction wells for the Project, therefore Project extractions cannot result in drawdown of the aquifer at the Pinetree wells due to well interference. TMC has committed to a Water Shortage Contingency Plan which is based on and in conformance with the Water Shortage Contingency Plan adopted by the Upper Santa Clarita Water Committee in 1991. TMC agrees to reduce water usage per the TMC WSCP, when water rationing stages are implemented by the Committee according to their plan. TMC has also committed to a Habitat Monitoring and Protection Program which is designed to protect the UTS habitat located upstream of the Pinetree wells. This program will be implemented during the dry period and will provide protection for the Pinetree wells as well as the UTS habitat.

Response to Comment 3: Periods of reduced water supply could be extended during prolonged drought conditions, if pumping were to continue unchecked and anticipated aquifer recharge did not occur. However, TMC will implement the UTS Habitat Monitoring and Protection Program and has made a commitment to reduce or stop pumping in order to maintain UTS habitat quality. These reductions in pumping would remain in effect until water quality and quantity standards defined by the action levels are once again achieved. See also response to Comment 17, Letter F-1.

Response to Comment 4: The commentator mistakes the role of the SWRCB in relation to the EIS and EIR process. The SWRCB will not make a "significance" determination concerning the Project in the context of either CEQA or NEPA. Rather, the SWRCB will assess the potential for regional impacts when considering TMC's application to appropriate water. It is not the case that TMC is relying on the determination by the SWRCB, but rather that this determination is a separate process that will occur subsequent to the preparation of the environmental documents. Both the Federal (i.e., DEIS and FEIS) and the state (i.e., DEIR) documents analyze water availability and conclude that the Project will not have adverse impacts on water resources. The SWRCB will make a separate determination whether to grant TMC the right to appropriate water from the Santa Clara River. During this process, parties opposing TMC's application may present their protests to the SWRCB.

Response to Comment 5: The TMC Water Shortage Contingency Plan is contained in the Answer to Vested Rights Protests which is incorporated as a technical reference to the EIS. As noted above, the TMC WSCP is based on the WSCP adopted by the Upper Santa Clarita Water Committee in 1991.

Response to Comment 6: The comment refers to a recirculation requirement under CEQA, and therefore does not relate to this Federal document. It should be noted, however, that there are neither discrepancies nor unevaluated issues that require recirculation of this document pursuant to the provisions of NEPA or CEQA.

L-9: COUNTY OF LOS ANGELES FIRE DEPARTMENT, FROM MICHAEL WILKINSON, CHIEF, FORESTRY DIVISION, DATED 1/18/00

Response to Comment 1: The requirement is already set forth as mitigation measure PS5 in the EIS.

Response to Comment 2: Thank you for the comment. No response is necessary.

L-10: SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, FROM STEVE SMITH, PROGRAM SUPERVISOR, CEQA SECTION, DATED 1/26/00

Response to Comment 1: To clarify the discussion on Page 2-4 of the SDEIS, text has been added to the FEIS in Section 3.1.7.2.

The commentator suggests that the SCAQMD daily thresholds for significance be used to evaluate the Project's air quality effects under NEPA. Air quality impacts under NEPA, however, are not addressed in the same manner as they are under CEQA, and there is no formal requirement under NEPA that a federal lead agency incorporate state guidelines in a NEPA document. In addition, the SCAQMD significance thresholds are recommended to be used by state lead agencies. Therefore, these criteria are guidelines designed to help evaluate air quality effects. Furthermore, it should be pointed out that the Project's emissions have been contemplated under the applicable SIP and AQMP, and accordingly the Project will not "contribute" to air quality problems in the region in the same manner that would a new project that has not been contemplated in the SIP and AQMP. The threshold for evaluation under NEPA is compliance with applicable laws, consideration in air quality management planning programs, and prevention of exceedences of or hindering progress towards attaining the ambient air quality standards.

Response to Comment 2: This typographic error has been corrected for the FEIS.

Response to Comment 3: A reformatted Table 3.1.7.4 appears in the FEIS.

Response to Comment 4: The requested table has been added to Appendix E-2.

Response to Comment 5: The requested table has been added to Appendix E-2.

Response to Comment 6: A discussion on the SCAQMD Rule 403 - Fugitive Dust program is included in the FEIS Section 3.1.7.1 and AQ-1.

Response to Comment 7: Scraper emissions in the proposed Project have been mitigated by substituting a conveyor that will carry fines to the North Fines Storage Area (NFSA). No scraper hauling is planned in the mitigated proposed Project, therefore this comment no longer applies.

Response to Comment 8: Dust suppressants will be applied according to manufacturers specifications. Studies that support control efficiencies in excess of 80 percent are available from some manufacturers. Frequency and intensity of application depend on the product to be used. The EPA published a document titled "Fugitive Dust Background Document and Technical Information Document for Best Available Control Measures" dated 9/92 which indicates that a control efficiency of 80 percent is a reasonable estimate. Products used at the Project will meet or exceed the performance curve located in Figure 3-2 of that document, and the Fugitive Dust Plan will include the specific product information and application rate.

Response to Comment 9: Water will be applied to the NFSA twice daily under normal conditions, once in the morning and once in the afternoon. Material transferred to the NFSA will have already been wetted by water spray bars located at each transfer point of the NFSA conveyor. On windy days, the area may receive an additional applications as needed to comply with the Rule 403 Fugitive Dust Plan. The 9/92 EPA document on fugitive dust indicates that 50 percent control is a reasonable estimate, especially for an area that will not be receiving any truck travel.

Response to Comment 10: This comment is labeled as Comment 8 on the attachment to the SCAQMD comment letter. According to the comment cover letter, this comment was adequately addressed in the SDEIS. Language has been added to the FEIS.

Response to Comment 11: This comment is labeled as Comment 9 on the attachment to the SCAQMD comment letter. According to the comment cover letter, this comment was adequately addressed in the SDEIS. Language has been added to the FEIS.

Response to Comment 12: Facility compliance with NSPS 000 is discussed in Section 3.1.7.1 of the FEIS.

Response to Comment 13: This comment was addressed in the SDEIS. Additional text regarding mitigation measure AQ4 appears in Section 3.1.7.3 of the FEIS.

Response to Comment 14: AQMD will be included in the review of the mitigation monitoring plans for any measure for which it is responsible.

Response to Comment 15: This comment was addressed in the SDEIS. Revised air quality modeling appears in the FEIS in Appendix E-3.

L-11: COUNTY OF LOS ANGELES, DEPARTMENT OF PUBLIC WORKS - FROM DAVID YAMAHARA, DATED 3/15/2000

The DEIR and DEIS are parallel documents. The County Department of Public Works extensively reviewed the administrative draft of the DEIR prior to it's release to the public. Letters from the various departments within Public Works are included in the EIR letters in Section 5.1. We appreciate the Department of Public Works review of the SDEIS. The Project does not appear to fall within any category of the SUSMP. The Applicant will be incorporating BMPs in adherence to the SWPPP for the Project. When the Applicant applies for their easement along Soledad Canyon Road, the final engineering will be required to comply with slope and other requirements of the County. The Applicant has and will continue to work closely with the County through the process. Other comments are noted, and no response is required.

3.5 RESPONSES TO COMMENT LETTERS FROM COMMUNITY GROUPS, ASSOCIATIONS, AND CONSULTING/LEGAL FIRMS

C-1: ANGELES CHAPTER, SIERRA CLUB - FROM HENRY SCHULTZ, DATED 9/13/99

Response to Comment 1: Discussion of the selection of the range of alternatives is provided in Topical Responses ALT-1 through ALT-3.

Response to Comment 2: See revised Section 3.1.7 in FEIS. Also, Topical Response AQ-1 provides information on the methodology for assessing impacts to sensitive receptors. Topical Response AQ-2 discusses the rationale for choosing wind data used for the air quality analysis.

Response to Comment 3: Additional information on Valley Fever has been added to Section 3.1.13, Public Health and Safety. Lung-irritating crystalline silicates are not found in the Project area and are not a major concern in Southern California aggregate operations. Additional information on crystalline silicates can be found in Topical Response PHS-2.

Response to Comment 4: The methodology of the traffic analysis was developed in conjunction with the Traffic and Lighting Division of the Los Angeles County Department of Public Works. Additional information on traffic analysis methodology and assessment of impacts to the freeway system is provided in Topical Responses T-1 and T-2. Traffic-generated noise is discussed in Section 3.1.5, Noise and Vibration. Topical Response N/B-3 provides additional discussion on traffic noise analysis methodology.

Response to Comment 5: Please see response to Comment 17 of Letter F-1. Also, localized aquifer drawdown and its impacts on surface flows is addressed in Section 3.1.2.2 Environmental Effects, Water Resources. The extent of effect and potential impact on the unarmored threespine stickleback habitat are also addressed in Section 3.1.2.2. The comment concerning violation of the Public Trust Doctrine and the Endangered Species Act is noted. The FEIS as described above addresses the substantive concerns set forth in this comment.

Response to Comment 6: The FEIS (Section 3.1.2 Water Resources) has been updated to include the most current water resources data available for the area, including the Santa Clarita Valley Water Report for the calendar year 1999, published by the Upper Santa Clara Valley Water Committee in February 2000.

Response to Comment 7: The use of process water clarifiers is addressed in 3.1.2.2 under TMC's Projected Demand for Water. The use of clarifiers to enable recycling aggregate washwaters, thereby reducing water usage, is one of the important environmental elements designed into the Project.

Sustainable yield is the amount of water that can be withdrawn from an aquifer without an undesirable effect, and is not *commonly* related to any specific effect. The undesirable effect for the purpose of the WTI Report is defined as a 40 percent reduction of saturated thickness.

Response to Comment 8: The Santa Clara River has not been determined to be in overdraft. In addition, there has been no determination that the proposed Project would exceed water resources onsite. The State Water Resources Control Board is responsible for overseeing the supply of water in the Santa Clara River, and is responsible for determining if and when the river would be in an overdraft situation. Exceedance of extractions by local water purveyors, over prior estimates of safe yield does

not necessarily mean that the aquifer is in overdraft. In fact, some water purveyors in the Santa Clarita Valley have noted that their wells have been at their highest levels in the last 5 years even with high extraction rates.

C-2: SAN MARINO ENVIRONMENTAL ASSOCIATES FOR THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 12 - FROM JONATHAN BASKIN, PH.D AND THOMAS HAGLUND, PH.D, DATED 9/10/99

Response to Comment 1: The comments are noted. Responses to specific comments are addressed below.

Response to Comment 2: This comment refers to the 23 acres of sensitive riparian woodland vegetation identified in the DEIS in Section 3.1.8.3.Affected Environment. This 23 acre riparian woodland vegetation, identified in the DEIS includes sensitive willow scrub and willow-cottonwood woodland (as per Holland 1986) as well as the mule fat scrub. Refer to Figure 3.1.8-4 for a map (with scale) of the Santa Clara River area described in Section 3.1.8.3. The mapped area includes the areas planned for Project water development and areas of the Santa Clara River corridor downstream of the beyond the gaging station and River's End Trailer Park. Sensitive riparian woodland vegetation does not exist in all portions of this mapped area with a large part of the area existing as sparse floodplain scrub or areas disturbed/diked by operations at River's End Trailer Park. Refer to Section 3.1.8.4 of the DEIS and supporting technical studies that identify and discuss the entire essential habitat of the UTS, the area of effected habitat, and the habitat protection plan. The DEIS accurately describes the potential impacts to the effected UTS essential habitat, including those areas of sensitive riparian woodland referred to above, and the wildlife species likely to use this reach of the Santa Clara River.

Response to Comment 3: This comment restates the existing conditions and evaluations for UTS habitat as described in the DEIS Water Resources Section 3.1.2. and Biota Section 3.1.8. The commentator suggests that there is no mitigation for impacts to UTS habitat. The average (e.g., normal) precipitation years for the Santa Clara River in the watershed area of the Project must be taken into consideration. Please refer to Topical Response WR-6 for a discussion of normal precipitation. The DEIS and supporting technical references and appendices accurately describe the areas of UTS habitat that provide year around flows in drought years and those areas that provide year around flow only in flood years. The final Biological Assessment and the Biological Opinion for the Project accurately discuss the reasoned approach to mitigation for potential Project effects on UTS habitat from uncontrolled pumping from the river. Measures WR1 and B6 outline the Habitat Protection Plan (Technical Appendix F6) as mitigation for potential impacts to the UTS habitat.

Response to Comment 4: The comment suggests that relatively slow flowing stretches in the Project area that provide a corridor for upstream as well as downstream movement of UTS, would be reduced or eliminated by the Project with no mitigation proposed. The DEIS and supporting technical references and appendices acknowledge that the stretches of the habitat that dry in the late spring/summer in dry years potentially would dry earlier under pumping conditions of the proposed Project. However, as flows decline even during drought years fish movement is still possible to some extent. Please refer to response to Comment 3 for relevant documentation and mitigation measures.

Response to Comment 5: The DEIS states that "Sticklebacks can reproduce rapidly year round, whenever conditions are suitable." The DEIS goes on to describe the importance of even seasonally wet habitat to breeding UTS and the dispersal of UTS within their essential habitat. The DEIS and

supporting Technical Appendices and Technical Studies accurately describe the potential for loss of nests and individuals of the UTS population from impacts of uncontrolled Project pumping. Refer to response to Comment 3.

Response to Comment 6: The DEIS Section 3.1.8 and supporting Technical Studies and Technical Appendices accurately describe the habitat of the UTS along this reach of the Santa Clara River and consider the importance of all the habitat including areas that are seasonally dry (see p.3-224 of the DEIS). The DEIS considers potential impacts from uncontrolled Project pumping to all UTS habitat from areas adjacent to the Project and downstream to below River's End Trailer Park. Please refer to response to Comment 3 for relevant documentation and mitigation measures.

Response to Comment 7: The UTS habitat evaluations presented in the DEIS were determined from repeatable, scientific field studies conducted over three years along the affected environment. These field studies included measurements of UTS habitat values for water quality, not merely observations for the presence of UTS. The water quality parameters measured were specified for UTS habitat monitoring by the head of the Unarmored Threespine Stickleback Recovery Team. Other parameters included in the field studies were qualitative observations such as presence of UTS and the presence of aquatic and riparian vegetation (see DEIS Section 3.1.8.3 and Technical Appendix F5). The DEIS evaluation of this habitat as moderately good does not preclude the presence of a breeding population of UTS. The evaluation reflects the measurements of the water quality relative to the target parameters of UTS over three seasons in this reach of the Santa Clara River. The evaluation also reflects the actual and potential effects of damming and diversion of the Santa Clara River by the River's End Trailer Park in this reach of the essential habitat of the UTS.

Response to Comment 8: The DEIS analyzes the potential impacts from pumping and the cone of depression on this area of the Santa Clara River as well as adjacent to and downstream of the Project. For elucidation of this issue, please refer to Topical Response WR5 as well as Section 3.1.1, 3.1.2, and supporting Technical Studies by Ground Water Systems, Inc., Law/Crandall, Inc., and Western Technologies, Inc.

Response to Comment 9: The comment presents the length of the UTS habitat in the area adjacent to and downstream of the Project as an alternative way to describe the affected and effected habitat rather than referring to acres, as is used in the EIS. The comment refers to the 23 acres of riparian vegetation identified in the EIS in Section 3.1.8.3 Affected Environment. The riparian vegetation acreage identified in the EIS is located immediately adjacent to and downstream of the Project site as identified in the EIS as the area that potentially would be affected by uncontrolled pumping. This riparian vegetation does not represent the entire area of the essential habitat of the UTS. The description of the UTS habitat used in the EIS reflects observations based on three years of monitoring at permanent monitoring stations along the Santa Clara River in the affected and effected habitat. The commentator is referred to Section 3.1.8.4 of the EIS and supporting technical studies that identify and discuss the entire essential habitat of the UTS, the area of effected habitat, and the Habitat Protection Plan.

Response to Comment 10: The DEIS and supporting technical documents accurately describe the potential for loss of nests and individuals of the UTS population from impacts of uncontrolled Project pumping. Furthermore, the incidental take issue has been addressed in the DEIS and the Project Biological Assessment (supporting Technical Study), the Habitat Protection Plan (Technical Appendix F6), and Biological Opinion for the Project Technical Appendix F11). The Habitat Monitoring Program presents a reasoned approach (as documented in the Biological Assessment

technical report, and the Biological Opinion, Technical Appendix F11) to monitoring UTS habitat given the natural characteristics of this reach of the Santa Clara River. The monitoring plan described within the Habitat Protection Plan calls for transects every either 50 or 100 m along the monitoring reach (depending on level of disturbance at River's End Trailer Park) and similarly transects in the reference reach upstream of the Project in USFS land. The number of transects in the reference and monitoring reach will be therefore, at least 10, and appropriate statistical tests will be used to determine whether the data is significantly different.

The DEIS identifies the potential of disturbance and/or water diversion in the area of the Project habitat monitoring. The DEIS accurately describes the existing conditions for the Santa Clara River. Because of the inevitable uncertainties associated with any natural system, the habitat protection plan is a monitoring plan with action levels and responses to protect the aquatic habitat and riparian habitat in the Santa Clara River adjacent to the Project site. Action levels to protect the habitat are conservative and responses to the action levels include the cessation of pumping. The monitoring, action levels, and response actions will be subject to review by the appropriate regulatory and resource agencies as the Project proceeds. Factors of the plan such as interval of monitoring and the number of monitoring stations may be adjusted after initial monitoring seasons are reviewed by the regulatory and resource agencies. The plan is designed to be adjusted, as necessary, to protect the habitat. The habitat protection plan is suitable to monitor and protect the UTS and its habitat.

Response to Comment 11: The effects of pumping during the dry season is addressed in Section 3.1.2.2 under Aquifer Storage and Effects of Pumping During Dry Season. During the dry season, the primary effects of pumping would be to draw down the aquifer in the vicinity of the site. This localized drawdown will not result in a concurrent reduction in surface flow at downstream locations during the dry season. In fact, the bulk of the reduction in the annual surface water budget will occur during the wet season, when surface flows are highest. The Habitat Monitoring Program is designed to monitor the effects of dry season pumping on the habitat, so that corrective actions can be implemented if action levels are exceeded. See also responses to Comment 18 in Appendix F of Letter L-1.

Response to Comment 12: All areas where dust suppressants will be used will drain to one of these stormwater desilting/debris basins. Lignin sulfonates and polymer type dust suppressants are relatively non-toxic and will be used in low quantities, resulting in no significant impacts on water quality. Please refer to Topical Response WQ-1.

Response to Comment 13: The commentator asks for clarification of Project operations in Area B of the Project site. The only operations in Area B of the Project site adjacent to the Santa Clara River are water extraction wells, above ground water pipeline, and the habitat monitoring program surveys. All other mining operations in Area B were specifically planned to be as far from the Santa Clara River as possible, on the far side of Soledad Canyon Road and the railroad corridor (see DEIS Section 2.1.1 for description of general mining operations). No operations that would cause a spill or other impacts to the stream are planned in Area B in the area adjacent to the river corridor. Please refer to Topical Responses WQ-3 and WQ-4 for a description of the Project SWPPP.

Response to Comment 14: The Santa Ana Sucker population in the Santa Clara River is not included in the Final Rule published in the Federal Register, Vol. 65, No. 71, April 12, 2000, pps.19686-19698 (50 CRF Part 17), that invokes the protection afforded by the Federal Endangered Species Act (FESA) for the Santa Ana sucker within the Los Angeles, San Gabriel, and Santa Ana River drainages (see page

19686-middle column). However, this population is still considered sensitive in the FEIS. The commentator states the monitoring provisions for the habitat protection plan are not adequate. Project evaluation included multi year studies on the endangered unarmored threespine stickleback and the river habitat conducted in the area of the river likely to be effected by the pumping. Monthly monitoring of the river for habitat characteristics was conducted during drought years and after flood flows. A habitat protection plan (see Technical Appendix F6) was developed as part of the mining program and as mitigation for the Project. The plan was developed in conjunction with various federal, state, and local agencies. Specifically, the plan has been reviewed and accepted by USFWS and SEATAC. The plan specifies monitoring methodology for areas expected to be effected by pumping and for a reference area upstream of the Project. Responses to the monitoring program are tied to specific actions that will protect the habitat of the endangered fish by regulating and/or stopping pumping from the river alluvium. The action levels for the habitat monitoring plan are based on the continued presence of surface flows and the quality of the surface flows in the river. Overall, the action levels for the plan are based on habitat quality requirements that are well within the known requirements for the UTS. Basically the plan ensures sufficient surface and subsurface flows to maintain the UTS. Therefore, it is expected that the plan will serve to protect the habitat of this endangered species and other sensitive fish and amphibian species as well as the associated riparian vegetation. The plan specifies annual monitoring for the riparian habitat in the area adjacent to the Project and downstream of the Project.

The habitat protection plan is a monitoring plan with action levels and responses to protect the aquatic habitat and riparian habitat in the Santa Clara River on, adjacent to, and downstream of the Project site. Action levels to protect the habitat are conservative and responses to the action levels include the cessation of pumping. The monitoring, action levels, and response actions will be subject to review by the appropriate regulatory and resource agencies as the Project proceeds. Factors of the plan such as interval of monitoring and the number of monitoring stations may be adjusted after initial monitoring seasons are reviewed by the regulatory and resource agencies. The plan is designed to be adjusted as necessary to protect the habitat. The habitat protection plan is suitable to monitor and protect the UTS habitat as well as other aquatic species and the associated sensitive riparian woodland vegetation.

Response to Comment 15: In accordance with the survey and trapping protocol conducted by Mr. Bobby Goodman in the affected Project reach, the most promising southwestern pond turtle habitat was the pond located where the River's End Trailer Park dams and diverts the Santa Clara River. This area is in the permanent UTS habitat area and will be protected by the Project's Habitat Protection Program. As the commentator accurately states, the southwestern pond turtle needs deeper water, and more pond like conditions than exist elsewhere in the affected reach as described in the DEIS and supporting Technical Appendices and Technical Studies.

As a clarification, the document preparers agree that the suggested mitigation measure contained in Technical Appendix F7, Southwestern Pond Turtle Survey Report for trapping to eradicate the African clawed is inappropriate mitigation since the frog could not be eradicated. This measure was not included in the DEIS mitigation measures or the Habitat Protection Plan.

Response to Comment 16: The commentator expresses concern about silt and coarse sediments both entering and/or not entering the Santa Clara River from the Project site. The issue of runoff from the site is acknowledged in the DEIS in Section 3.1.3 Flood. Seven stormwater desilting/debris basins will be installed for the Project to manage stormwater runoff from the site. These basins will be designed according to the County Hydrology/Sedimentation Manual. One of the standards in the Manual is to design the basins so as to maintain runoff silt loadings equivalent to existing conditions. Thus the

basins will be designed to neither increase nor decrease the amount of silt flowing from the site. See response to Comment 13 in Letter F-1 and Topical Response WQ-2. Also, refer to DEIS project description of existing conditions on the site in various sections (Sections 3.1.3, 3.1.4, 3.1.8) that describe current conditions including conditions by a previous mining operation that currently allow uncontrolled runoff from the site. The DEIS and supporting Technical Appendices and supporting technical studies describe the measures that will be taken by the mining operation to control runoff from the proposed Project (see especially Section 3.1.3). The measures contained in DEIS for operation of the mining Project contained in these cited sections were considered in the Biological Opinion for UTS for the Project.

Response to Comment 17: The commentator is concerned that impacts from blasting on riparian biota were not addressed in the DEIS. The DEIS acknowledges blasting and the effects on the riparian biota. The commentator is referred to response to Comment 2 in Letter L-1, Appendix F.

The commentator asks for clarification of Project operations in Area B of the Project site. The only operations in Area B of the Project site adjacent to the Santa Clara River are water extraction wells, above ground water pipeline, and the habitat monitoring program surveys. All other mining operations in Area B were specifically planned to be as far from the Santa Clara River as possible, on the far side of Soledad Canyon Road and the railroad corridor (see DEIS Section 2.1.1 for description of general mining operations).

Response to Comment 18: As noted in the response to Comment 16, the stormwater desilting/debris basins will be designed to maintain existing runoff silt loadings from the site. Thus the amount of sediment leaving the site will not change substantially. It should also be noted that the downcutting seen in lower reaches of the river is due to significant increases in water flow in the river, not the lack of sediments from mining operations.

C-3: REMY, THOMAS, AND MOOSE, LLP FOR THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 12 - FROM ANDREA A. MATARAZAO, DATED 9/9/99

Response to Comment 1: Topical Response PD-1 discusses issues related to the quantity of aggregate to be extracted under the proposed Project, reclamation plan implementation and responsibility, and production capacity and Project phasing. Topical Response CUM-1 discusses the limitations and restrictions on additional mining at the site beyond 56.1 million tons. The commentator suggests that TMC will mine more than the 56.1 million tons provided in the terms of its contract with the federal government. For more than 56.1 million tons to be mined, the BLM would first have to make the determination to release additional materials, a new competitive bidding process would have to occur, and TMC, if it were the successful bidder, would have to negotiate and enter into new contracts with the Federal government. In addition, if such contracts were awarded, entirely new state and Federal review and permitting processes would be required. Therefore, it is highly speculative that any additional mining would occur at the site, and even more speculative that TMC would be the operator. In response to the comment suggesting that the DEIS has "piecemealed" the Project into component parts, the commentator is referred to a full discussion of this issue in Topical Response CUM-1.

Response to Comment 2: The estimated production levels are derived through engineering design and operating experience and represent the most likely rate of extraction. Additional information regarding production capacity and Project phasing can be found in Topical Response PD-1. As a clarification, "worst-case" as used in this section concerning onsite storage of fines, refers to the maximum level of onsite storage.

Response to Comment 3: Methodology for estimating water resources in the Santa Clarita Valley is provided in Topical Response WR-8, and is discussed fully in Section 3.1.2 of the FEIS.

Response to Comment 4: The Project will obtain water from the alluvial aquifer of the Santa Clara River south of the site. The water to be obtained by the Project will be via both riparian and appropriative rights. Under California water law, "surface water" includes, "...subterranean streams flowing through know and definite channels" (SWRCB, 1987b, Water Code 1200). The alluvial aquifer in the Soledad Canyon reach of the Santa Clara River is a subterranean stream. The commentator is referred to Section 3.1.2.1 Affected Environment for a discussion of the California Water Code and it's applicability to the Project. See also Topical Responses WR-1, WR-2, WR-3, WR-8 and WR-9.

The availability of water in the region and in the Project vicinity is addressed in Section 3.1.2.1 under Water Resources Evaluation. As noted in Section 3.1.2.1, TMC has applied to appropriate water from the Santa Clara River so that the water can be used on non-riparian parcels. The State Water Resources Control Board will make a determination of whether sufficient water exists for appropriation prior to approving the TMC application.

TMC anticipates obtaining the amounts of water identified for use by the Project in most years. However, TMC has also committed to a Water Shortage Contingency Plan prepared for the Project, which can result in cutbacks in water usage during periods of prolonged drought. See also Topical Response WR-7.

Response to Comment 5: The discussion on page 1-35 of the DEIS refers to the City's proposed River Corridor Plan, not the City's use of water. The DEIS does not conclude that the City's plans are irrelevant to the DEIS analysis. The DEIS concludes that the River Corridor Plan does not apply to the section of the river within Area B of the Project site. Impacts of water usage on downstream users, which includes the City of Santa Clarita, are addressed in Section 3.1.2 Water Resources.

The DEIS uses the term "almost always" because events outside of TMC's control such as an extremely long drought could result in a temporary loss of surface flow at Old Lang Gaging Station. However, subsurface flow would continue. TMC has no plans to and will not pump the system dry. Compliance with the Habitat Monitoring and Protection Program and the Water Shortage Contingency Plan will prevent this from happening. Please see Topical Responses WR-6 and WR-7.

The unarmored threespine stickleback habitat is the primary sensitive ecological habitat identified immediately downstream of the Project. The conditions required to protect this habitat will result in the protection of other sensitive riparian habitats. See also response to Comment 17 of Letter F-1.

Response to Comment 6: Please refer to Topical Responses WR-8 and WR-9 for a full discussion of these issues relating to mitigation of water resources impacts, riparian rights and other water resources concerns.

With regard to mitigation measure B6, the gist of the language referred to by the commentator is that if downstream parameters change in synch with upstream parameters then the changes in the parameters are not due to Project pumping and continuing Project pumping would not exacerbate the problem. It is only when parameters downstream of the Project site show a change significantly different than the control site upstream of the Project, that Project pumping is impacting the outcome.

Action Level 3 - Appendix F6 page F6-16 (25 percent). The Habitat Monitoring Plan calls for monthly monitoring during the monitoring period and Action Levels are based on taking measurements monthly.

Please note that the Water Shortage Contingency Plan applies to both riparian and appropriated water usage.

It should also be clarified that the EIS does contain several specific mitigation measures to ensure that impacts are reduced to less-than-significant.

Response to Comment 7: Project-related impacts to freeways are discussed in Topical Response T-1, T-2, and T-3, and in Letter L-1, Appendix G. Freeway trips are such that they do not reach the threshold criteria of the Congestion Management Plan, thus the Project will not impact the freeway and, in accordance with County guidelines, no analysis is required.

Response to Comment 8: As noted in the text, the Project would only increase traffic on the Antelope Valley Freeway by less than 2 percent and the increase in noise is on the order of 0.1 dBA and would not be audible nor significant. Therefore, there is no need to list all existing and potential receptors located proximate to the Antelope Valley Freeway. Furthermore, because no significant impacts are projected, no mitigation is warranted.

With respect to the walls and/or berms, as noted in the text because of the grade differential, local topography, etc. a more thorough noise study will be required to ascertain wall and/or berm specifics. Because these modifications are to reduce any significant impacts to less then significant, the modifications must achieve those criteria listed in Section 3.1.5.2.

If a soundwall is to be constructed, its placement and dimensions will vary with the materials used, the height differential between the roadway and the receptors, the grade and curvature of the road proximate to the receptors, and the actual positions of the receptors at the bottom of the slope. Prior to wall construction, a more thorough study will need to be prepared by a qualified person(s) experienced in the fields of structural engineering, environmental noise assessment, and architectural acoustics. If a wall is constructed, it will be designed to achieve an attenuation such that noise levels with Project implementation will not exceed those levels without Project implementation by more than 1 dBA CNEL. Language has been added to FEIS mitigation measure N2 in Section 3.1.5.3.

Response to Comment 9: The threshold values are necessarily selective, but are applied in a systematic manner. Stationary-source noise is governed by state and local regulation. Blasting noise is governed by OSMRE regulations. Mobile source noise is exempt from both county and local regulation and based on a perceptible increase in the ambient noise as noted by CEQA.

With respect to wildlife, allowable noise is based on past discussion and written documentation (i.e., regulation) provided by the Department of Fish and Game.

It should also be noted that the discussion of "significance" in the DEIS was imported from a parallel CEQA document. The DEIS is not, however, subject to the same requirements regarding "significance" as is the CEQA document.

Response to Comment 10: Impacts along Agua Dulce Road are addressed on Page 3-145 of the DEIS and in this FEIS. The Project represents an increase in traffic of approximately 2 percent and any increase in noise would be on the order of 0.1 dBA. This increase is neither audible nor significant.

Response to Comment 11: For the purposes of documenting cumulative noise impacts, the Project must consider the ratio of Project-generated vehicles. It is incorrect to assume that as more vehicles appear on the road, the Project presents a greater cumulative impact. The reasoning is described below.

For a project to add to the cumulative noise impact, it must contribute audibly to the sum total of the traffic on the road. While an increase of 3 dBA is typically considered as an audible increase in ambient noise to most people of normal hearing ability, the document takes a more conservative approach and an increase of 1 dBA is the basis for a cumulative impact. An increase of 1 dBA would require that the Project contribute approximately 25-26 percent of the sum total of the traffic. This is regardless of whether there are 1,000 vehicles or 100,000 vehicles on the road. While it is true that the overall noise profile may be higher in later years, if the document were to examine some year beyond the first year of full scale operations, it would generate a proportionately smaller volume of the sum total and therefore add relatively less noise. Because the criterion remains as a 1 dBA increase regardless of the overall noise, the document does examine a reasonable worst-case scenario. Construction of a soundwall, if needed, will be designed as discussed in Comment 8 above. This will ensure that the Project's contribution to the cumulative noise environment does not exceed 1 dBA CNEL not add cumulatively to the ambient noise.

With respect to a doubling in the volume of traffic to produce a 3 dBA increase:

$$\text{Resultant dBA} = 10(\log)\ \frac{\text{Resultant volume of traffic}}{\text{Initial volume of traffic}}$$

Therefore:

$$3\ \text{dBA} = 10(\log)\ \frac{2}{1}$$

As stated on page 3-145 of the DEIS, the 12 dBA of attenuation attributed to grade separation was as predicted using the FHWA Highway Noise Prediction Model.

The cumulative impacts section of the DEIS Section 3.1.15, addressed cumulative project noise impacts. For cumulative traffic noise, the DEIS refers to Section 3.1.5.3 for applicable mitigation measures to reduce cumulative noise impacts.

Response to Comment 12: A discussion of land use compatibility and potential conflicts with residential uses, particularly the proposed Bee Canyon Mobile Home Park, can be found in Topical Response LU-3.

Response to Comment 13: A discussion on the selection of alternatives is provided in Topical Responses ALT-1 through ALT-3. A full discussion of alternative mining locations is provided in these topical responses. See also response to Comment 9 in letter L-1.

The DEIS analyzed alternatives to the proposed Project in conformity with the requirements of NEPA. The alternatives are presented in comparative form, allowing for them to be considered in the context of the proposed Project. Furthermore, each alternative was objectively evaluated to allow reviewers to consider their comparative merits. Finally, the Agency Preferred Alternative—the RNFSA Alternative—has been identified and is fully described in the FEIS in Section 3.2.14. The suggestion to consider a "delayed exploitation" alternative, while interesting, fails to fully account for the full range of Project purposes and objectives stated in Section 1.1.2 of the DEIS. Delayed exploitation would potentially hinder or retard the development of the site to provide adequate aggregate materials to the target markets. The EA (No. CA-066-EA947) for the sale of minerals identified the current need for aggregate, not a deferred need, and the contract bidding and terms were based on the EA's parameters. Accordingly, the Project should be designed to address this need.

Response to Comment 14: See response to Comment 18, regarding use of Round-up/Rodeo for plant removal/control That discussion addressed the fact that Rodeo is approved for spraying in and adjacent to aquatic sites. For reclamation, the sister product Round-up Pro would be used.

Response to Comment 15: The text has been revised for clarity.

Response to Comment 16: The table has been changed. No Comment meant that no species was observed.

C-4: SANTA CLARITA ORGANIZATION FOR PLANNING THE ENVIRONMENT - FROM LYNNE PLAMBECK, 1ST VICE PRESIDENT, DATED 9/13/99

Response to Comment 1: Riparian rights are addressed in Topical Response WR-8.

Response to Comment 2: This comment expressing an opinion concerning TMC's application to the SWRCB for appropriative rights is noted. A letter from the SWRCB on October 7, 1999 (included as Comment Letter S-8) indicated that TMC's application to appropriate water from the Santa Clara River will proceed according to statutory process. This proceeding will allow for protest/opposition resolution. Topical Responses WR-8 and WR-9 provide additional discussion on this issue.

Response to Comment 3: See response to Comment 5 in Letter C-1. Also refer to Topical Response WR-9.

Response to Comment 4: As indicated in the DEIS and FEIS, the water is subterranean stream. Accordingly, the concerns expressed regarding percolating groundwater are noted but do not apply. The EIS (Section 3.1.2) demonstrates that sufficient flows are available to support the Project. Topical Response WR-8 provides additional discussion of this issue.

Response to Comment 5: Water usage data has been updated based on information contained in the Santa Clarita Valley Water Report, published in January 1999. See response to Comment 6 in Letter C-1.

Response to Comment 6: See response to Comment 7 in Letter C-1. Also refer to Topical Response WR-8.

Response to Comment 7: The projected size of the Saugus Aquifer in the referenced table has been changed to 11,000 to 22,000 annual safe yield.

Response to Comment 8: See response to Comment 8 in Letter C-1. Also refer to Topical Response WR-8.

C-5: FRIENDS OF THE SANTA CLARA RIVER - FROM RON BOTTORF, CHAIR, DATED 9/13/99

Response to Comment 1: The Project will extract water from the Santa Clara River upstream of the Eastern Basin in a stretch of the river known as the Soledad Canyon Channel. The Project will not be pumping water from the alluvial aquifer of the Eastern Basin. Impacts to downstream users has been addressed in the EIS and will not significantly impact regional water resources. See also response to Comment 8 in Letter C-1.

Response to Comment 2: The potential impact of the Project on surface flows and sensitive ecological habitats is discussed in Section 3.1.2.2 Environmental Effects. Mitigation measure WR1 is specifically designed to protect unarmored threespine stickleback habitat located immediately downstream of the Project. See also response to Comment 18 regarding protection to UTS.

C-6: SAFE ACTION FOR THE ENVIRONMENT, INC. - FROM TANA LAMPTON, DIRECTOR, DATED 9/13/99

Response to Comment 1: The comment raises a general statement and no specific issues with regards to the EIS. The data issue referred to is responded to and addressed in other sections of this FEIS.

C-7: SANTA CLARITA ORGANIZATION FOR PLANNING AND THE ENVIRONMENT- FROM LYNNE PLAMBECK, 1ST VICE PRESIDENT, DATED 5/11/99

Response to Comment 1: Thank you for your comment. Los Angeles County exercised their legal option to prepare a separate EIR.

C-8: ANGELES CHAPTER - SIERRA CLUB - FROM MARTIN SCHLAGETER, CONSERVATION COORDINATOR, DATED 5/15/99

Response to Comment 1: A copy of the DEIS was provided to the Angeles Chapter of the Sierra Club for review as requested. See response to Comment 1, Letter C-7.

C-9: NATURAL HISTORY CLUB OF ACTON/AGUA DULCE - FROM STACEY NICKELS, PRESIDENT, DATED 9/13/99

Response to Comment 1: The air quality section (Section 3.1.7) of the FEIS has been revised. Also, issues related to the UTS are addressed elsewhere throughout this response to comments document.

C-10: SAUGUS UNION SCHOOL DISTRICT - FROM GAIL WICKSTROM, SUPERINTENDENT, DATED 9/8/99

Response to Comment 1: The comment period was extended to January 10, 2000 for both the DEIS and SDEIS.

Response to Comment 2: Impacts to air quality, including those related to fugitive dust, are discussed in Section 3.1.7 of the EIS.

C-11: ACTON-AGUA DULCE UNIFIED SCHOOL DISTRICT - RESOLUTION OF THE BOARD OF TRUSTEES, DATED 9/9/99

Response to Comment 1: Air quality issues are discussed in Section 3.1.7 of the EIS. Public health and safety issues are discussed in Section 3.1.13 of the EIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

C-12: DEMOCRATIC ALLIANCE FOR ACTION - FROM DIANE TRAUTMAN, PRESIDENT, DATED 7/27/99

Response to Comment 1: Please see the response to Letter C-11, Comment 1.

C-13: AGUA DULCE TOWN COUNCIL AND AGUA DULCE CIVIC ASSOCIATION - FROM JAMES DUZICK, PRESIDENT OF TOWN COUNCIL AND DIANE TERITO, LAND USE CHAIR OF CIVIC ASSOCIATION, DATED 9/13/99

Response to Comment 1: As discussed in Topical Response PD-1, TMC has no right to mine beyond 56.1 million tons, and TMC does not own the mineral rights. It is unforeseen at this time whether further mining would occur, and regardless, it is not part of the proposed Project that is analyzed in this EIS. See also Topical Responses ADMIN-1, PD-1 and ALT-1.

Response to Comment 2: The applicant is responsible for concurrent reclamation of the site in accordance with the Mining and Reclamation Plan and as required by SMARA. Additional information on the reclamation plan implementation and responsibility is contained in Topical Response PD-

Response to Comment 3: Pursuant to the terms of TMC's contract with the BLM, the Federal contracts are binding and are effective on the date the mining plan is approved. The DEIS and FEIS in Table 2.1-2, clearly set forth the anticipated amount of mining by year for the duration of the Project.

Response to Comment 4: Where required, studies have been updated over the years to meet regulatory requirements and are considered to be scientifically acceptable for the purposes of this NEPA documentation.

Response to Comment 5: Topical Responses PD-3, LU-1, LU-2, LU-3, LU-4, and CUM-1 discuss issues suggested by the commentator. It should be noted, that analyses of future conditions (including cumulative conditions) are based on "reasonably foreseeable future actions" (40 CFR 1508.7) and that at this time there are no plans to mine to the extent that the commentator suggests.

Response to Comment 6: The example of an extended brush fire is in no way comparable to the proposed Project. The smoke from a moderate size brush fire contains hot gases and fine particulate matter of a size and quantity completely different than emissions from the Project.

Section 3.1.7, Air Quality, has been revised to include a discussion of air quality data from the Santa Clarita air monitoring station and its representativeness relative to the Project site. See also response to Comment 9 of Letter F-1.

Applicable federal, state and local (SCAQMD) air quality regulations have been consulted in preparing the EIS.

Appendix E-5 contains the Draft Conformity Analysis and Appendix E-6 contains the Final Conformity Determination.

Response to Comment 7: The air quality analysis includes a discussion of the impacts of the Project with regard to NOx and ROG. Since these are ozone precursors, the SCAQMD requires that these pollutants be modeled around the facility. The SCAQMD does not require ozone modeling. Due to the Gaussian distribution algorithms that are used in modeling programs, modeling a single facility's emissions to great distances (i.e., across entire air basins) results in concentrations that are negligible. The State accounts for this by preparing SIPs and the SCAQMD accounts for this by preparing AQMPs to ensure that emissions from multiple projects in the air basin are accounted for when seeking to achieve ambient air quality standards. The Project's emissions have been contemplated under the applicable SIP and AQMP.

Response to Comment 8: Particulate Matter - The Project includes preventative control measure a) noted by the commentator. The access road on the Project site is paved for 500 feet from the entrance to the site.

Haul trucks - Check Appendix E2. For loading and trackout control measures.

The applicability of Rule 403 has been clarified in Section 3.1.7 of the FEIS.

Response to Comment 9: The discussion of air toxics has been revised and is addressed in Section 3.1.7 of the FEIS. The Project will not emit air toxics subject to a federal standard as part of the National Emission Standards for Hazardous Air Pollutants (NESHAPS), nor will it be a source of Hazardous Air Pollutants (HAPs) under federal law. However, concerns have been expressed over the possible emissions of diesel particulates from the proposed Project. While no federal standard has been established for diesel particulates, the available state standard was used to assess the potential impact of diesel particulate emissions. Pursuant to this state standard, no adverse impacts associated with diesel particulate emissions were identified for the Project. In order to fully address any concerns over such emissions, Mitigation Measure AQ5 has been included in the Project to minimize emissions of diesel particulates.

Response to Comment 10: The air quality evaluation adheres to the most current state and federal air quality standards. These standards are presented in Table 3.1.7-1. The current ozone standard includes a federal 8-hour standard. Neither a federal or state PM2.5 standard has been formally adopted.

Mitigation measure AQ5 Section 3.1.7.7 of the FEIS, has been added to minimize impacts from diesel exhaust.

Response to Comment 11: Additional information regarding Valley Fever has been added to Section 3.1.13, Public Health and Safety.

The proposed Project contains a number of mitigation measures to reduce emissions from the Project. The FEIS includes three additional mitigation measures (Section 3.1.7.3) proposed by TMC to further reduce emissions. These additional mitigation measures will reduce both onsite and offsite impacts of the Project. These measures include steps which go beyond current regulatory requirements.

Response to Comment 12: Information regarding the cumulative project analysis is presented in Topical Response CUM-1. This information includes the rationale for the determination of projects used in the cumulative impacts analysis and the appropriateness of level of detail presented. Please note that the Cumulative Impact section of the DEIS and now the FEIS address the cumulative impacts of other proposed projects in the area.

Response to Comment 13: The possibility of using rail transportation of aggregate produced at the site is analyzed in Section 3.2.5 of the DEIS. Additional information regarding the pros and cons of this alternative is presented in Topical Response ALT-2.

Response to Comment 14: The desilting/debris basins described in the EIS are for stormwater control not process water recycling. See response to Comment 13 in Letter F-1. Process water will be recycled by way of clarifiers which efficiently remove suspended solids from the water making it readily available for reuse. The inspection and maintenance of the desilting/debris basins is addressed in the SWPPP contained in Appendix B1.

Response to Comment 15: The issue of water availability is addressed in the response to Comment 4 in Letter C-3. Please also refer to Topical Responses WR-8 and WR-9. The SWPPP and SPCCP contained in Appendix B, address measures which will be implemented to prevent the discharge of hazardous materials to the Santa Clara River.

Response to Comment 16: The State Water Resources Control Board will not take action on the TMC application to appropriate until after the EIR has been approved. Refer to Topical Response WR-9.

Response to Comment 17: The estimated production levels are derived through engineering design and operating experience, and are a function of the amount and capacity of the mining equipment, hours of operation, quality of the material, as well as other factors. Additional information on Project phasing is presented in Topical Response PD-1.

Response to Comment 18: The methodology of the traffic analysis was developed in conjunction with the Traffic and Lighting Division of the Los Angeles County Department of Public Works. Additional information on traffic analysis techniques is contained in Topical Response T-1.

Response to Comment 19: This comment relates to the timing of mitigations, which in turn is related to the level of activity at the TMC site and the pace, magnitude and location of the cumulative developments in the area. The County will determine the mitigation implementation schedule as part of the conditions placed on the CUP.

Response to Comment 20: The access road is proposed to be relocated a short distance up the road, to a point opposite of the existing access road for the CA Rasmussen mining operations. This would create a conventional four-way intersection on Soledad Canyon Road. This segment of Soledad Canyon Road is two-lanes wide with no turn lanes provided. The applicant has committed to constructing a turn pocket for eastbound traffic entering the facility and a merge lane for traffic exiting the facility. These changes will improve access to the site and improve the operation of Soledad Canyon Road.

Response to Comment 21: The 5 percent of Project traffic on Agua Dulce Canyon Road would use Route 14 to and from the north to serve those areas. This will result in a low number of ADT added to the road and would not generate impacts based on roadway levels of service or change the TI of the road. Also, some of the trucks will haul aggregate and some ready-mix. Aggregate trucks would use Route 14 and not travel through Agua Dulce. Ready-mix trucks destined for Agua Dulce would be called to sites to serve projects in the area. These trucks are a result of the demand for ready-mix product in Agua Dulce (they would not travel to Agua Dulce without being called to a destination in the community).

The freeways to the south (I-5, I-405, Route 118 and I-210) would not be adversely impacted by the Project, as the Project-added traffic would be below the CMP thresholds. The CMP criteria identifies when an agency can expect to encounter impacts and the traffic generated by this Project is less than one-third of the amount identified in the CMP as potentially significant.

Response to Comment 22: The analysis assumed development of several related projects located in the vicinity of the proposed TMC Project. Pursuant to Los Angeles County Public Works direction, an additional 1.5 percent per year growth factor was applied to the existing volumes to account for development located outside of the Project study area.

Response to Comment 23: The freeways to the south (I-5, I-405, Route 118 and I-210) would not be adversely impacted by the Project, as the Project-added traffic would be below the CMP thresholds. The CMP criteria identifies when an agency can expect to encounter impacts and the traffic generated by this Project is less than one-third of the amount identified in the CMP as potentially significant.

Trucks will not be merging onto the freeway at Shadow Pines Boulevard. Trucks will be merging onto and off of the Antelope Valley Freeway at Soledad Canyon Road and the Applicant will apply mitigation that has been developed by the County for traffic movements at this intersection.

Air pollutants, including diesel are addressed in Section 3.1.7 of the FEIS. Mitigation measures include controls for diesel particulates, keeping the offsite roadway dust-free, and container load requirements to guard against transported materials in haul trucks from blowing off of the trucks.

Response to Comment 24: Information regarding the cumulative project analysis is presented in Topical Response CUM-1. This information includes the rationale for the determination of projects used in the cumulative impacts analysis and the appropriateness of level of detail presented.

Response to Comment 25: The measurements were taken onsite in the pit at the point of maximum noise to obtain the operating equipment noise levels, and not for the purpose of comparing noise between Azusa and Soledad Canyon. The noise measurements taken at Azusa were for the purpose of obtaining measurements of similar equipment to that which will operate at Soledad Canyon. It should be noted that the measurements at Azusa were made onsite in the vicinity of the pit wall that will be similar to that of Soledad Canyon. The Soledad Canyon site will only be mined on the south side of the ridge adjacent to a pit wall, except for work at the ridgeline.

It should also be noted, that the issuance of earplugs when visiting a mining site is part of OSHA requirements for all visitors for all facilities.

Response to Comment 26: As shown on page 3-139 of the DEIS, the 93 dBA for equipment operating at 50 feet, attenuates to 47 dBA for the nearest receptor in Aqua Dulce. These attenuation factors are based on line of sight with no intervening terrain. Any intervening terrain will serve in further reducing noise levels. All mining will be on the south side of the ridge. Activity in the NFSA will include a mitigation measure that will use a conveyor to distribute fines and thus reduce heavy equipment on the north side of the ridge. Noise will not impact Aqua Dulce.

Impacts along Agua Dulce Road are addressed on Page 3-145 of the DEIS and in this FEIS. The Project represents an increase in traffic of approximately 2 percent and any increase in noise would be on the order of 0.1 dBA. This increase is neither audible nor significant.

The 5 percent of Project traffic on Agua Dulce Canyon Road would use Route 14 to and from the north to serve those areas. This will result in a low number of ADT added to the road and would not generate impacts based on roadway levels of service or change the TI of the road. Also, some of the trucks will haul aggregate and some ready-mix. Aggregate trucks would use Route 14 and not travel through Agua Dulce. Ready-mix trucks destine for Agua Dulce would be called to sites to serve projects in the area. These trucks are a result of the demand for ready-mix product in Agua Dulce (they would not travel to Agua Dulce without being called to a destination in the community).

Response to Comment 27: Please see the response to Comment 24.

Response to Comment 28: Please see the response to Comment 24.

Response to Comment 29: Please see the response to Comment 24.

Response to Comment 30: Please see the response to Comment 24.

Response to Comment 31: Please see the response to Comment 24.

Response to Comment 32: The event of a tie up is rare and unlikely to occur during the same time period when a large number of hikers are in the area. The most likely occurrence of congestion on the freeway is during weekdays, whereas, the most likely occurrence of hikers being in the area is on weekends.

Response to Comment 33: Please see the response to Comment 24.

Response to Comment 34: As described in Section 2.3 of the EIS, the alternatives were chosen, in part, based on their potential to reduce environmental impacts. Topical Response ALT-1 describes the methodology for selection of alternatives.

Response to Comment 35: The comment summaries the commentator's thoughts expressed in other sections of the letter that have already been responded to.

Response to Attached Appendices: We acknowledge the 29 appendices attached to the comment letter. A list is attached to comment letter C-14. These are reports and references to the letter that raise no issues requiring a direct response. The appendices are available by request.

C-14: SIERRA CLUB ANGELES CHAPTER - FROM MARTIN SCHLAGETER, CONSERVATION COORDINATOR, DATED 3/23/99

Response to Comment 1: The public comment period for the DEIS was extended to coincide with the public comment period for the SDEIS.

C-15: CENTER FOR BIOLOGICAL DIVERSITY - FROM PETER GALVIN, CONSERVATION BIOLOGIST, DATED 11/23/99

Response to Comment 1: The USF&WS has issued a "non-jeopardy" opinion on the UTS. See the Biological Opinion in FEIS Technical Appendix F-11. Please also refer to Comment 17 in Letter F-1.

Response to Comment 2: Please refer to Comment 17 in Letter F-1. The "draw down of up to 40 percent" refers to the aquifer in the direct vicinity of the Project wells. The impact of this draw down on surface water on downstream users is addressed in Water Resources Section 3.1.2.2 Environmental Effects.

Response to Comment 3: The FEIS has been updated to include the most current water resources data available for the area, including the Santa Clarita Valley Water Report for the calendar year 1999, published by the Upper Santa Clara Valley Water Committee in February 2000.

Response to Comment 4: Sustainable yield is the amount of water that can be withdrawn from an aquifer without an undesirable effect, and is not *commonly* related to any specific effect. The undesirable effect for the purpose of the WTI Report is defined as a 40 percent reduction of saturated thickness.

Response to Comment 5: The Project will not result in overdraft of the alluvial aquifer. The geology of the Project site does not exhibit any features of excess soluble nitrates. Therefore, nitrate concentrations in stormwater runoff from the site are expected to be similar to nearby groundwater and surface water concentrations. In addition, stormwater will be sampled and analyzed for nitrates as part of the SWPPP.

Response to Comment 6: The rationale for alternative selection, including the elimination of alternative sites, is discussed in Topical Response ALT-1. A discussion of the relationship between the Project and recycled aggregate is provided in Topical Response ALT-3.

Response to Comment 7: A discussion of the methodology for cumulative impact analysis is provided in Topical Response CUM-1.

C-16: NATURAL HISTORY CLUB OF ACTON/AGUA DULCE - FROM STACEY NICKELS, PRESIDENT, DATED 1/10/00

Response to Comment 1: The implementation of the conveyor system to the NFSA will reduce particulate emissions from the Project. Please see Section 3.1.7, Air Quality of FEIS for revised emissions due to incorporation of additional mitigation. The impact does remain significant. Additional information regarding air quality methodology, Project area wind conditions, and health effects of dust from winds is presented in Topical Responses AQ-1, AQ-2, and PHS-1.

C-17: HALL AND ASSOCIATES FOR SAFE ACTION FOR THE ENVIRONMENT - FROM CARLYLE W. HALL, JR, DATED 1/8/00

Response to Comment 1: Topical Response PD-1 provides rationale for the selection of 56.1 million tons as the amount of aggregate to be extracted as a result of the proposed Project. This topical response also clarifies Reclamation Plan implementation and responsibility and production capacity and Project phasing. In addition, Topical Response CUM-1 discusses the cumulative impacts and future actions in the Project area.

Response to Comment 2: The analysis of the No Action Alternative, found in Section 3.2.1 of the DEIS, clearly states that the No Action Alternative was found to have fewer impacts than all other alternatives in all but 2 resource areas, flooding and water resources. The preservation of 187 acres of coastal sage scrub/semi desert chaparral and mixed chaparral habitat is specifically mentioned in the Biota section, on page 3-388 of the DEIS. However, the 45-acre existing mine site would not be reclaimed. The DEIS correctly stated that significant impacts would occur if the steep slopes of the quarry were allowed to remain, and if revegetation did not occur.

Response to Comment 3: NEPA requires an evaluation of the comparative effects of a range of reasonable alternatives to a project that would feasibly attain most of the projects objectives (the purpose and need for the project). The objectives of the proposed Project are described in Section 2.3.1 of the DEIS and are further discussed in Topical Response PD-2. In developing the objectives and alternatives for the proposed Project, the BLM considered not only what was explicitly required by NEPA, but also considered the previous relevant decisions by public agencies that affect the use of the site. An alternative that would consider recreational or agricultural uses for the property would not meet the Project objectives. Topical Response ALT-1 has a detailed response to the issue of alternatives.

Response to Comment 4: Nine alternative mining sites were examined when the alternatives were being developed. As described in Section 2.5.1, these alternative sites were not carried forth for detailed analysis because of potentially-significant environmental impacts. Topical Response ALT-1 provides additional information on the analysis of alternative locations in the EIS.

Response to Comment 5: Topical Response LU-3 discusses the relationship between SMARA and local land use planning policies.

Response to Comment 6: Information regarding the site's characterization under the Los Angeles County General Plan and inconsistencies with abutting land use designations are discussed in Topical Response LU-3.

Response to Comment 7: Information regarding the site's characterization under the Santa Clarita Valley Area Plan and inconsistencies with abutting land use designations are discussed in Topical Response LU-3.

Response to Comment 8: Additional information regarding the relationship between SMARA and local land use planning polices is contained in Topical Response LU-3. It should be noted that the Project would not create continuing cumulative land use impacts because it would be consistent with zoning in the area, as well as mineral designation of the site. Subsequent projects conflicting with the mining and related activities contemplated at the site would therefore create any "cumulative" land use impacts. A full response concerning cumulative impacts is provided in Topical Response CUM-1.

Response to Comment 9: The air quality analysis evaluates PM10 emissions based on average daily throughput, not permitted throughput. For sand and gravel this would be 10,800 lbs/day for the concrete batch plant this is 4,500 lbs/day.

Response to Comment 10: The modeling has been redone without using "calms processing." The revised modeling and results are presented in Technical Appendix E2 of the FEIS.

The Locations of Sensitive Receptors section has been revised to include additional receptor locations. Topical Response AQ-1 further discusses air quality and sensitive receptors.

Response to Comment 11: The commentator is referred to Table 3.1.7-11 in the mitigation section of the air quality analysis. With application of mitigation as presented in AQ1, the residual emissions are reduced to 53.7 lb/day. Based upon a 5-day per week work week, and a 90-day quarter, emissions are calculated at less than 1.7 tons which is well under the 2.5 ton per quarter threshold as set by the SCAQMD for NOx.

Response to Comment 12: Cumulative air quality impacts are addressed in Section 3.1.15 of the FEIS. It has been determined that the Project's emissions do conform to the applicable SIP/AQMP. Please refer to Appendix E6 in the Technical Appendices for the conformity determinations. The concentration of PM10 at the nearest receptors ranges from 2.87-8.08 ug/m3 with the SDEIS mitigation.

Response to Comment 13: The additional mitigation included in the FEIS reduce air quality emissions from the Project significantly. The air quality modeling results presented in the Piazza Attachment B to Letter C-17, are no longer representative of Project impacts. Revised modeling of PM10 emissions was presented in the SDEIS and is contained in Appendix E2 of the FEIS. The FEIS also includes an additional control measure AQ5 which combined with AQ4 reduces diesel particulate emissions from onsite operations by 80 percent. Diesel particulates have not been identified as a Hazardous Air Pollutant under federal regulations and no federal standards have been set for diesel particulate emissions.

Response to Comment 14: The DEIS does examine sensitive receptors that are more proximate to the Project than the Agua Dulce town center. Specifically, noise impacts were calculated for the nearest residence (approximately 0.25 mile from the south-central boundary of Area A) and for the River's End Trailer Park (approximately 1,000 feet southwest of the site). Topical Response N/B-1 provides additional information on identification of sensitive noise receptors.

Response to Comment 15: Please refer to response to Attachment Comment A-3 below.

Response to Comment 16: Please refer to Response to Comment 25 in Letter C-13.

Response to Comment 17: Please refer to Response to Comment 26 in Letter C-13, and Response to Comment E-3 in Letter L-1. Further information regarding traffic-related noise is contained in Topical Response N/B-3.

Response to Comment 18: Grading activity associated with the NFSA will occur during the operational phase of the Project.

Response to Comment 19: Due to the low frequency of blasts and the low probability that such blasts may be strongly perceptible, the impact is considered to be more of a nuisance, but for the purpose of the analysis was considered to be potentially significant. In actuality, because of the variation in human response to these blasting levels of vibration, the impact may not be significant. It is our understanding, that the previous site operator had conducted blasting with larger quantities of explosives have occurred at the site. However, a determination of significance was made, and blasting mitigation is presented in Section 3.1.18 of the FEIS. As part of many controls, the mitigation includes adherence to requirements that minimize air overpressure and vibration. Periodic monitoring of offsite locations to ensure compliance with the controls is also required

Response to Comment 20: Traffic noise was found to be significant and mitigation is provided to reduce the impact at the River's End Trailer Park. Further information regarding traffic noise is located in Topical Response N/B-3.

Response to Comment 21: Please refer to response to Comment Nos. B-25, B-26, and E-3 in Letter L-1, and Comment No. 8 in Letter C-3.

Response to Comment 22: Additional information regarding traffic analysis assumptions and methodology can be found in Topical Responses T-1 through T-3.

Response to Comment 23: It must be noted that the traffic mitigation measures are requirements of the County of Los Angeles Department of Public Works which reviewed the DEIR traffic analysis (same as FEIS traffic analysis) prior to public review, and which set up the mitigation measures as they appear in Section 3.1.11.3 of the FEIS.

Response to Comment 24: Comment noted. The issue is presented in numerous places in the EIS, including Section 3.1.8 and Technical Appendix F-10. See also Response to Letter C-2, Comment 9.

Response to Comment 25: The water quality data presented in the EIS includes data from the most recent Los Angeles Regional Water Quality Control Board Basin Plan which was adopted by the Board in June of 1994. This is the latest data publicly available for the Santa Clara River.

The SWPPP contains stormwater pollution prevention measures for the Project as well as a stormwater sampling program to monitor stormwater quality. The high concentration parameter measured in the 1991-1992 stormwater sampling was Total Suspended Solids. The stormwater desilting/debris basins will control the discharge of suspended solids from disturbed areas of the Project site.

Response to Comment 26: Sandbags and sandbag walls will be used to direct runoff so as to minimize the volume of water running across or through disturbed areas. This in turn will reduce the quantity of sediment present in the total stormwater runoff from the site.

Septic tanks will not be installed if not approved by the County Planning Department.

Response to Comment 27: As noted in the EIS, the type of flocculent proposed for use in the Project is approved by the EPA and is commonly used for potable water treatment. The SWPPP contains stormwater pollution prevention measures as well as a stormwater monitoring program.

The desilting/debris basins are designed to control stormwater flow rates and sediment loading. They are not intended to retain the stormwater onsite. There are no process water settling ponds proposed for the Project. The drainage facilities will be designed according to Los Angeles County, Hydrology/Sedimentation Manual as required by the Public Works Department.

Response to Comment 28: The Habitat Protection Plan has been reviewed by the United States Fish and Wildlife Service (USFWS). The USFWS has issued a "non-jeopardy" biological opinion.

The SWPPP contains stormwater pollution prevention measures and stormwater monitoring procedures to prevent the discharge of contaminants to the Santa Clara River.

No "settling ponds" are planned for the Project (see Topical Response WQ-1). The Project does incorporate stormwater desilting/debris basins for the control of stormwater runoff, as discussed in Section 3.1.3.2 Flood. These desilting/debris basins are designed to allow stormwater runoff to flow from the site at a controlled rate. The basins are not designed to contain stormwater runoff on site. All of the desilting/debris basins will be located well outside the 100 year flood plain. Since these basins are designed to allow stormwater to flow from the site, breaching is not an issue and designing for the 50 year "burned and bulked" capital flood is acceptable. The County of Los Angeles considers the 50 year Capital Flood to meet or exceed the Federal Emergency Management Agency's guidelines for a 100 year storm event.

Response to Comment 29: The DEIS and FEIS in Section 3.1.2 address the Project's anticipated water needs. Discussion of TMC's application for appropriative rights is contained in response to Comment 2 of Letter C-4. Topical Responses WR-8 and WR-9 provide further discussion of issues relating to water resources for the Project.

Response to Comment 30: There will be no Project extractions from the Acton Basin. The Acton Basin is located several miles upgradient of the Project site. Therefore, Project extractions cannot impact water resources in the Acton Basin.

The analysis of pumping during the wet season shows that sufficient wet season flow is available to recharge the aquifer after dry season drawdown. Therefore, the overall rate of recharge is greater than the rate of drawdown.

The DEIS acknowledges that periods of prolonged drought can occur. The Habitat Monitoring and Protection Program and the Water Shortage Contingency Plan are designed to reduce Project impacts to less than significant, if such a period occurs during the life of the Project.

The City of Santa Clarita is addressed in the Water Resources Section, in the discussion of water resources related to the Eastern Basin, which includes the City of Santa Clarita. In the reference noted by the commentator, the DEIS only refers to the applicability of the River Corridor Plan. The DEIS does not expand this applicability to the needs of water users in the City of Santa Clarita. The term "local water users" in Section 3.1.2.3, refers to water users in the immediate vicinity of the Project site, not the Eastern Basin. The section entitled Regional Impacts, refers to the broader area including the City of Santa Clarita. The applicant also has agreed to implement a Water Shortage Contingency Plan in the event that the water purveyors which serve the City of Santa Clarita (the Upper Santa Clara River Water Committee) declare a Water Emergency Shortage.

The Bee Canyon Project proposes to obtain water from one of the water purveyors of the Santa Clarita Valley. Therefore, mitigation measures to protect downstream users in the Eastern Basin are applicable.

Response to Comment 31: This comment refers to the 23 acres of riparian vegetation identified in the DEIS in Section 3.1.8.3 Affected Environment. The 23 acre riparian vegetation referred to by the commentator is described in the vegetation section of the DEIS, which identifies the acreage of riparian vegetation (as per Holland 1986), that potentially could be effected by uncontrolled pumping by the Project. Riparian vegetation identified in the DEIS includes sensitive willow scrub and willow-cottonwood woodland as well as the mule fat scrub vegetation. Refer to Figure 3.1.8-4 for a map (with scale) of the riparian vegetation described in Section 3.1.8.3. The mapped area includes the areas planned for Project water development and areas of the Santa Clara River corridor downstream of the Project beyond the gaging station and River's End Trailer Park. Riparian vegetation does not exist in all portions of this mapped area with a large part of the area existing as sparse floodplain scrub or areas disturbed/diked by operations at River's End Trailer Park. Please refer to Section 3.1.8.4 of the DEIS and supporting technical studies that identify and discuss the entire essential habitat of the UTS, the area of effected habitat, and the habitat protection plan. The DEIS accurately describes the potential impacts to the effected UTS essential habitat, including those areas of riparian vegetation referred to above, and the wildlife species likely to use this reach of the Santa Clara River.

Response to Comment 32: The biological resources reported in the DEIS reflect the conditions of the site as required by NEPA. The studies of biological resources at the Project site began in 1990 and have been updated as necessary through 1995 to establish baseline site conditions and document changes in the site due to natural disturbances and influences such a fire, floods and drought. The surveys and analyses for the biological resources on the site were conducted according to NEPA standards as well as to other pertinent State, Federal and County of Los Angeles requirements. Particular surveys and studies were conducted by persons with the specific education, training and experience in the required discipline, including botany, plant ecology, native plant revegetation, wildlife biology and ecology, herpetology, and ichthyology. The commentator is referred to Topical Response BIO-1 for further information.

Response to Comment 33: The DEIS correctly identifies the County of Los Angeles Significant Ecological Area (SEA) No. 23 and the Project's compatibility with SEA's in Sections 1.4.4 and 3.1.12.1. The DEIS states that sand and gravel quarrying is considered to be a compatible land use within SEA's when it is determined to be compatible with biotic resources that have been identified by a detailed biotic survey such as the survey conducted for TMC's Project and presented in Section 3.1.8 of the DEIS. The Final Biological Assessment, cited as a supporting technical report in the DEIS

Technical Appendices and available for public review, identifies in Appendix F that the Sensitive Ecological Area Technical Advisory Committee (SEATAC) reviewed the Project's Biota report, and the report was discussed and approved with minor revisions at the May 2, 1994 meeting of SEATAC.

Response to Comment 34: The commentator is referred to response to Comment 31 for discussion of identification of sensitive biological resources, including UTS, and to response to Comment 20 in Letter F-1 for additional information. The DEIS describes that there are wildlife movement corridors in the vicinity of the site, but not "within" the Project site. The north/south movement corridors to which the commentator refers are the areas of the Santa Clara River and its tributaries, Agua Dulce Creek and Bear Creek that are not on the Project site and will not be affected by the Project. The

Project is separated from the Santa Clara River physically by the railroad corridor and Soledad Canyon Road. The Project will not affect the Santa Clara River as a wildlife movement corridor. The DEIS accurately describes the potential impacts from uncontrolled pumping to the effected Santa Clara River Resources. The DEIS includes a habitat protection plan that will monitor and protect the river resources. Refer to Topical Response BIO-3 of the Final EIS for further discussion. The DEIS accurately describes the entire essential habitat and the potential impacts to the effected UTS essential habitat, including the areas of riparian vegetation referred to above (and see Response to Comment 31), and the wildlife species likely to use this reach of the Santa Clara River.

Response to Comment 35: The plant will be located on a relatively flat area that will be graded. As mining progresses, that area, south of the ridge will appear as a flat pit then sloping upwards toward the ridgeline. However, the NFSA will be developed in 4- to 5-foot lifts, with each successive life placed 8 to 10 feet back to maintain a 2:1 (horizontal to vertical) slope. This NSFA will always appear as a slope area: from a distance a stair-step effect appears as a slope. In addition, final reclamation will fill in and contour this area to blend with the adjacent ravines. The north slope and ridge will still shield views of the mining area for viewers on the Antelope Valley Freeway. The Project's west-side terrain will be affected during Cuts 3 and 4, but not to the point that viewers from Santa Clarita would be able to see the plant and processing equipment. The plant's distance to viewers is such that features would be hard to discern. Final reclamation (as shown on Figure 2.1-11) of the west-side of the Project will have a 2,400-foot elevation: while the plant area elevation will be at about 2,100 feet. It is noted that the visual resources will remain significant after mitigation.

The lighting that will be used, while focused on select areas of the site, has been identified as a significant impact. The Applicant will apply mitigation to minimize stray lighting and reduce glow to area residents.

Response to Comment 36: The commentator is correct, that passengers will see the site. Additional mitigation has been added for air quality that includes the use of a conveyor for NSFA disposition, thus reducing heavy equipment use on the north slope. Refer to the discussion in the Visual Resources mitigation section (Section 3.1.10.3) for the effects of the mitigation on aesthetics. The commentator is reminded that the Project's visual resources have been determined to result in significant impact, that even with mitigation will remain significant. See also response to Comment A-3 in Letter L-1.

Response to Comment 37: The commentator is reminded that the Project's visual resources have been determined to result in significant impact, and that even with mitigation will remain significant. See also response to Comment A-3 in Letter L-1.

Response to Attachment Comment A-1: It is correct that the 65 dBA CNEL is typically used for planning purposes and is not typical of a noise ordinance limitation. However, for this Project, the 65 dBA CNEL is considered conservative. Refer to responses to Comment No. E-3 of Letter L-1.

The Project area is not a "hush-quiet" environment far removed from the entrapments of all urban development, but is subject to existing traffic noise generated both along the Antelope Valley Freeway and Soledad Canyon Road as well as from the 16 daily operations along the adjacent railroad line. In fact, a train passed by at a distance of about 200 feet during the noise measurement taken at the River's End Trailer Park in the field study. Even though it was only observed for about 2 minutes during a 15 minute reading, it raised the average noise level to 74.3 dBA, This would indicate that the train actually produced a noise level of about 83 dBA at the metered location and is well above a "hush-quiet pastoral setting."

Finally, the impact criteria are ultimately based on an increase above ambient noise levels, and not exceedance of the 65 dBA CNEL. In fact, although traffic-generated noise is estimated at less than 65 dBA, its increase is considered as significant and mitigation is imposed on the Applicant. Quoting from the DEIR: "With Project implementation, the resultant noise level at the River's End Trailer Park office would be approximately 57 dBA CNEL. Although this value is below the 65-dBA CNEL as specified in the noise ordinance, it represents an increase of 5 dBA and thus will be clearly audible to local receptors. Thus, a significant impact is projected (see Mitigation Measure N3)."

Response to Attachment Comment A-2: Trucks loaded with aggregate and concrete would proceed from the site and travel downhill to reach the freeway. Trucks headed downhill through this area certainly do not operate at full power. Any trucks carrying material uphill to the facility (e.g.,) fly ash, would do so during the day.

The quoted 80 dBA is for a truck under power measured at grade at a distance of 50 feet. With the exception of the office located about 50 feet from the road, the residents at the River's End Trailer Park are at distances of approximately 75 to 300 feet and an 80 dBA maximum level would be attenuated to a level of 68 to 77 dBA, if they were at the same grade as the road. However these residents are located 25 to 55 feet below the road surface and modeling indicates that this would further reduce noise in excess of 12 dBA producing a worst-case pass-by noise level of 65 dBA.

Finally, traffic use is continuous along Soledad Canyon Road. The Project will not produce truck noise "every hour on the hour" but will result in a more continuous stream of trucks and traffic who's noise will blend with the existing noise generated along the road. Furthermore, truck, and traffic noise in general, is commonplace in the environment. It gradually increases as a truck approaches and gradually subsides as the truck passes.

Response to Attachment Comment A-3: While mobile homes are designed of lighter weight materials than are conventional dwellings, transmission though walls is not the major source of noise intrusion in a dwelling. Windows and air gaps under doors are actually the greatest sources of interior noise. These tend to be smaller in mobile homes, and interior noise would not be so different from conventional dwellings. As a reasonable worst-case scenario, impacts at the River's End trailer park were assessed based on the projected increase in exterior ambient levels and not on land use design standards.

Response to Attachment Comment B-1: The modeling has been redone without the calms processing option. The revised modeling results are included in Appendix E2.

Response to Attachment Comment B-2: The SCAQMD Significant Change level of 2.5 ug/m3 for the PM10 24-hour average is simply the level at which an EIR must be prepared. What is meant by the term "standards" is the most stringent air quality standard. For PM10, the most stringent air quality standard for the 24-hour averaging period is 50 ug/m3. The expected air quality impact of the Project is considerably less than 50 ug/m3; thus the Project by itself does not violate the most stringent air quality standard. Furthermore, it should be noted that the Project's emissions have been contemplated under the applicable SIP and AQMP, and accordingly the Project will not "contribute" to air quality problems in the region in the same manner a new project that has not been contemplated in the SIP and AQMP would.

Response to Attachment Comment B-3: See response to Comment B-4.

Response to Attachment Comment B-4: Mitigation measures AQ4 and AQ5 reduce diesel particulate emissions from onsite equipment operations by 80 percent. Diesel particulates have not been identified as a Hazardous Air Pollutant under federal regulations and no federal standards have been set for diesel particulate emissions. However, with regard to California regulations, a recalculation of risk using the reduced emissions as well as the Project life of 20 years, results in a risk exposure of less than 1.0E-05 for all sensitive receptors.

Response to Attachment Comment B-5: See response to Comment 7 of Letter F-1.

C-18: AGUA DULCE TOWN CONCIL AND AGUA DULCE CIVIC ASSOCIATION - FROM DIANE TERITO, PRESIDENT, AGUA DULCE TOWN COUNCIL AND SUSAN KAPLAN, PRESIDENT, AGUA DULCE CIVIC ASSOCIATION, DATED 1/7/00

Response to Comment 1: As indicated in Section 3.1.2.3 of the DEIS, TMC has committed to implement a Water Shortage Contingency Plan. Additional explanation regarding water resources in the Santa Clarita Valley and the Water Shortage Contingency Plan can be found in Topical Responses WR-7 and WR-8. The SWRCB has indicated that TMC's application to appropriate water will proceed (see Topical Response WR-9). See response to Comment 2 of Letter C-4 for further discussion of this issue.

Response to Comment 2: The discussion of piped water or trucking water for the Project is discussed as an Alternative and is not a part of the Agency Preferred Alternative.

Response to Comment 3: NEPA has different requirements concerning the assessment and analysis of project impacts from those required under CEQA. The section from the SDEIS quoted by the commentator has been revised in the FEIS for clarity.

Response to Comment 4: Cumulative impacts of past, present, and reasonably anticipated future projects are discussed in Section 3.1.15 of the DEIS. This list of projects includes the mining of Cut 4 of TMC's Project and the adjacent Cal Mat project. Additional information regarding the methodology for determining cumulative impacts is contained in Topical Response CUM-1.

Response to Comment 5: Water studies and issues data attached - Slade Water Study 1990, Robinson Ranch application, Legal Brief Scope and Sierra Club, UWCD and CLWA Water Resources Draft Report on the SCR.

Response to Comment 6: Please see the response to Comment 3.

Response to Attached Reports: We acknowledge the four reports attached to the comment letter. The covers of these reports are included with letter C-14. These reports raise no issues requiring a direct response. The reports are available by request.

C-19: NEWHALL SCHOOL DISTRICT - FROM MARC WINGER, SUPERINTENDENT, DATED 10/20/99

The comment raises no issues with regard to the environmental document, and no response is necessary.

3.6 RESPONSES TO COMMENT LETTERS FROM INDIVIDUALS (INCLUDING FORM LETTERS)

I-1: JOSEPH YORE, DATED 7/22/99

Response to Comment 1: Thank you for your comment. Your opposition to the Project has been noted.

I-2: JOSEPTH YORE, DATED 7/10/99

Response to Comment 1: County planning is well aware of the roadway near the Project and has required the Applicant to implement mitigation accordingly.

Response to Comment 2: The blasts associated with the Project are not in the range where they will cause the sort of effects that the commentator suggests.

I-3: ARTHUR AND BEVERLY EDWARDS, DATED 7/12/99

Response to Comment 1: Air quality impacts of the proposed Project are discussed in Section 3.1.7 in the FEIS and in Topical Responses PHS-1, AQ-1 and AQ-2.

Response to Comment 2: Aesthetic impacts are discussed in Section 3.1.10 of the FEIS.

Response to Comment 3: Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

Response to Comment 4: Noise impacts related to the proposed Project are described in Section 3.1.5 of the FEIS. As described in Section 2.1.3 of the FEIS, mining operations are anticipated to occur from 5:00 a.m. to 10:00 p.m., six days per week.

Response to Comment 5: Noise impacts related to traffic, including truck traffic, are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-3.

Response to Comment 6: Pavement impacts related to the proposed Project are described in Section 3.1.11.2. As described in this section, the applicant will contribute its fair share of the costs to resurface Soledad Canyon Road.

Response to Comment 7: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

Response to Comment 8: The comment is noted. TMC truck drivers are subject to a routine traffic safety training program. However, TMC does not have any authority over drivers of trucks not owned by TMC.

Response to Comment 9: Alternative locations were examined, but were selected for evaluation in the FEIS. The alternative selection methodology is described in Topical Response ALT-1.

I-4: LYNNE WINNER, DATED 7/6/99

Response to Comment 1: Air Quality impacts related to traffic, including truck traffic, are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1.

Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-5: MARY RIGGINS, DATED 6/8/99

Response to Comment 1: Please see response to Comment No. A-14 in Letter L-1.

Response to Comment 2: Information regarding dust generation and health effects is contained in Topical Response PHS-1. Additional information regarding Valley Fever has been added to Section 3.1.13, Public Health and Safety.

Response to Comment 3: Additional information on Noise and Vibration is contained in Topical Responses N/B-2 through N/B-3.

Response to Comment 4: Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

Response to Comment 5: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

Response to Comment 6: Topical Responses PD-3, LU-1, LU-2, LU-3, and LU-4 discuss issues regarding land use compatibility, general plan compatibility, and economic impacts.

I-6: MICHELLE HOFFMAN, DATED 6/3/99

Response to Comment 1: Air Quality impacts related to dust are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Responses AQ-1 and PHS-1.

Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-7: ESTELLE BLASHAK, DATED 6/10/99

Response to Comment 1: Public health risks are discussed in Section 3.1.13, Public Health and Safety. Risks associated with traffic are discussed in Section 3.1.11, Traffic.

Response to Comment 2: Well draw-down would not occur with the proposed Project. Topical Response WR-5 discusses hydraulic isolation in the Project area.

Response to Comment 3: Air Quality impacts related to dust are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Responses AQ-1 and PHS-1. See also responses to Letter L-1 and appendices.

I-8: NANCY MILLER, DATED 7/3/99

Response to Comment 1: See revised Section 3.1.7 of this FEIS on air quality. See also Topical Responses and responses to L-1 regarding air quality. The document has been prepared with data that is scientifically sound and acceptable.

Response to Comment 2: The alternative selection process is described in Topical Response ALT-1.

I-9: VINTON AND TANA LAMPTON, DATED 9/13/99

Response to Comment 1: The document has been prepared with data that is scientifically sound and acceptable.

Response to Comment 2: Topical Responses LU-1 and LU-2 describe the relationship between the Project and the surrounding land uses.

Response to Comment 3: Air Quality impacts related to dust are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Responses AQ-1 and PHS-1.

Biology impacts are discussed in Section 3.1.8 of the FEIS. Topical Responses BIO-1 through BIO-3 provide additional information on the Santa Clara River and biota. See also pertinent responses in Letter F-1.

I-10: CHRIS TOWLES, DATED 6/6/99

Response to Comment 1: Topical Response PHS-1 discusses public health concerns related to dust. Information on Valley Fever has been added to Section 3.1.13, Public Health and Safety.

Response to Comment 2: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. See also responses to Letter L-1.

Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. See also responses to Letter L-1, Appendix H.

Response to Comment 3: Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-11: MARY RIGGINS, DATE 6/8/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-12: PETITION, NO DATE

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-13: STACY PARRINO, DATED 5/16/99

Response to Comment 1: Information has been added identifying local receptors.

Response to Comment 2: Section 3.1.7.3 presents specific mitigation that is applied to all sources of dust emissions and the control efficiencies based on industry standards, the AQMD CEQA Handbook, AP-42, and SCAQMD Permit conditions. The analysis considered Santa Ana wind conditions. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Topical Response AQ-2 contains additional information regarding the source of wind data.

Response to Comment 3: Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

Response to Comment 4: Public health risks, including those associated with blasting and explosives, are discussed in Section 3.1.13, Public Health and Safety. Risks associated with traffic are discussed in Section 3.1.11, Traffic. See also Topical Responses in Section 2.0 and responses to Letter L-1 and Appendix H of L-1.

Response to Comment 5: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1, and responses to Letter L-1, Appendix H.

Response to Comment 6: Topical Responses LU-1 and LU-2 describe the relationship between the Project and the surrounding land uses.

I-14: KYLE MCRIYLOTE, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. See also Appendix H responses of Letter L-1.

I-15: JOHN C. BODINE, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-16: RONN AARON, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-17: PETER TUTOKEY, DATED 5/15/99

Response to Comment 1: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1 and in responses to Letter L-1.

Impacts to Visual Resources as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS.

I-18: VIRGINIA APPLEN, DATED 5/15/99

Response to Comment 1: Biology impacts are discussed in Section 3.1.8 of the FEIS. Topical Responses BIO-1 through BIO-3 provide additional information on the Santa Clara River and biota. Other comments on biota are included within other responses to comments.

I-19: TIM PARTENFEIDER, DATED 5/15/99

Response to Comment 1: Biology impacts are discussed in Section 3.1.8 of the FEIS. Topical Responses BIO-1 through BIO-3 provide additional information on the Santa Clara River and biota.

I-20: TIMOTHY TUDOR APPLEN, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-21: LOREN NICKOLOFF, DATED 5/15/99

Response to Comment 1: Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1. See also responses to Appendix E of Letter L-1.

I-22: LINDSAY JEWELL STUKEY, DATED 5/15/99

Response to Comment 1: Impacts to Visual Resources as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns.

I-23: DANIELLE GERSH, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1. See also responses to Appendix E in Letter L-1.

I-24: JEFFREY MARK GERSH, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1.

I-25: EDITH AND GEORGE HADDOCK, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns.

I-26: TARA LAMPTON, DATED 5/15/99

Response to Comment 1: Topical Responses LU-1 and LU-2 describe the relationship between the Project and the surrounding land uses. Biology impacts are discussed in Section 3.1.8 of the FEIS. Topical Responses BIO-1 through BIO-3 provide additional information on the Santa Clara River and biota. Other responses to comments also address these issues.

I-27: CAROL HANO, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-28: SARHAM, DATED 5/15/99

Thank you for your input. Your opposition to the Project is noted.

I-29: GEORGE HANO, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-30: RICHARD MC CORMICK, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-31: BRUCE N. *ILLEGIBLE*, DATED 5/12/99

Thank you for your input. Your opposition to the Project is noted.

I-32: REBECCA HOLLINGER, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-33: TIM HOLLINGER, DATED 5/15/99

Response to Comment 1: Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. See also Appendix H of Letter L-1.

I-34: LYNN SAUFLEY, DATED 5/15/99

Thank you for your input. Your opposition to the Project is noted.

I-35: JOAN MARIE DUNN, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-36: BETH SHOTT, DATED 5/25/99

Response to Comment 1: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4. Impacts to Visual Resources, including nighttime lighting, as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1.

I-37: JAMES A. YANKOVICH, DATED 5/15/99

Response to Comment 1: Impacts to Visual Resources as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS. Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. Information on Valley Fever has been added to Section 3.1.13, Public Health and Safety. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns.

I-38: SIMON PETER RAIBLE, DATED 5/20/99

No comments were received on this public hearing form.

I-39: ANNE E. RAIBLE, DATED 5/20/99

No comments were received on this public hearing form.

I-40: MARY ALEXOFF, DATED 5/20/99

Response to Comment 1: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. Impacts to Visual Resources as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS.

I-41: PHILLIP J. LEPACHER, DATED 5/15/99

Response to Comment 1: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-42: ALICIA E. MARTIN, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-43: KEVIN AND CINDIE OLEN, DATED 5/24/99

Response to Comment 1: Impacts to Visual Resources as a result of the proposed Project are discussed in Section 3.1.10 of the FEIS. Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information is provided in Topical Response AQ-1. Information on Valley Fever has been added to Section 3.1.13, Public Health and Safety. Topical Response PHS-2 provides additional detail regarding fugitive dust and health concerns. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Responses N/B-1 and N/B-2. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-44: SALLY MC CORD, DATED 3/10/99

Response to Comment 1: Impacts to Visual Resources as a result of the proposed Project, including nighttime lighting, are discussed in Section 3.1.10 of the FEIS. Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-45: KATHY CARVER, DATED 6/5/99

Response to Comment 1: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-46: GEORGE MILLER, DATED 3/10/99

Response to Comment 1: Concurrent reclamation of the mining slopes and the North Fines Storage Area will occur as mining progresses. At the end of mining, a Final Reclamation Plan will be implemented. Section 2.2 of the FEIS describes the reclamation plan.

I-47: RONDA LOCKART, DATED 3/10/99

Response to Comment 1: The lead agency for the FEIS is the U.S. Bureau of Land Management. Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

I-48: ART BREWSTER, DATED 3/10/99

Response to Comment 1: Cultural and paleontological resources are discussed in Section 3.1.9 of the FEIS.

I-49: UNSIGNED COMMENT LETTER, NO DATE

Response to Comment 1: Although 64 million tons of aggregate is available to be mined within the context of the proposed mining plan, the applicant's contracts with the Federal government is limited to 56.1 million tons. Please see Topical Response PD-1 for additional detail.

I-50: RAY BROWN, DATED 3/10/99

Response to Comment 1: Details of the Revegetation Plan are discussed in Section 2.2 and Section 3.1.8 of the FEIS. Additional detail is provided in Topical Response BIO-2.

I-51: S. EAST, DATED 3/10/99

Response to Comment 1: Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-52: D. SAUFLEY, DATED 3/10/99

Response to Comment 1: As described in Section 2.1.3 of the FEIS, mining operations are anticipated to occur from 5:00 a.m. to 10:00 p.m., six days per week.

I-53: STEPHEN VOYLES, DATED 6/4/99

Response to Comment 1: Topical Responses PD-1 and PD-2 describe the rationale for the parameters in the proposed Project. Mitigation measures chosen for the Project are summarized in Section 3.1.18 of the FEIS.

I-54: SHAUNA B. COMBER, DATED 5/25/99

Response to Comment 1: The federal, state, and local process associated with this proposed Project are described in Topical Responses ADMIN-1 through ADMIN-3.

I-55: PHILLIP AVILA, DATED 4/12/99

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-56: VIRGINIA APPLEN, DATED 5/5/99

Response to Comment 1: Biology impacts are discussed in Section 3.1.8 of the FEIS. Topical Responses BIO-1 through BIO-3 provide additional information on the Santa Clara River and biota. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

I-57: JAMES LANKFORD, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-58: BERTA GONZALES-HARPER, 4/13/99

Response to Comment 1: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1.

Response to Comment 2: Air Quality impacts are described in Section 3.1.7 of the FEIS. Additional information, including data sources, is provided in Topical Response AQ-1.

Response to Comment 3: Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Information regarding the potential for Valley Fever has been added to that section. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

Response to Comment 4: Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Responses N/B-1 and N/B-2.

Response to Comment 5: Alternative locations and rail transportation were examined, but were not selected for evaluation in the FEIS. The alternative selection methodology is described in Topical Responses ALT-1.

I-59: KENNETH G. SOLIS, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition of the Project is noted.

I-60: EASON PHILLIP LEPACH, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition of the Project is noted.

I-61: CLINTON PERKINS, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition of the Project is noted.

I-62: RICHARD THOMPSON, NO DATE

Response to Comment 1: Thank you for your input. Your opposition of the Project is noted.

I-63: ROSALIO FRANCO, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-64: RALPH CLARKSON, 5/15/99

Response to Comment 1: Thank you for your input. Your opposition of the Project is noted.

I-65: MAURICIO MURILLO, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-66: TORY CABRAC, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-67: PAUL CALLIPER, DATED 4/12/99

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-68: DAVID BAME, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-69: DAN STEELE, 4/12/99

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-70: SANTOS GARCIA, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-71: MARCOS ALVORZ LUGO, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-72: JAMES BROWN, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-72: PHILLIP CERVANTEZ, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-74: FRANCISCO ISIORDIA, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-75: OMERO REYES, NO DATE

Response to Comment 1: Thank you for your input. Your support for the Project is noted.

I-76: FRED HLAVATY, DATED 6/16/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-77: REINER SCHONE, DATED 5/30/99

Response to Comment 1: Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1.

I-78: REINER SCHONE, DATED 5/30/99

Response to Comment 1: Please see the response to Comment 1 for Letter I-77.

I-79: FRANCESCA CAPSSO-SCHONE, DATED 5/30/99

Response to Comment 1: Please see the response to Comment 1 for Letter I-77.

I-80: FRANCESCA CAPSSO-SCHONE, DATED 5/30/99

Response to Comment 1: Please see the response to Comment 1 for Letter I-77.

I-81: MICHAEL ANTONOVICH, DATED 5/12/99

No comments are included in this letter.

I-82: KAYLA MARIE BAGBY, DATED 5/22/99

Response to Comment 1: Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-83: ALFRED J. HLAVATY, DATED 5/22/99

Response to Comment 1: Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4.

I-84: WILLARD STEPHEN BAGBY, DATED 5/22/99

Response to Comment 1: Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

I-85: JANE ANN BAGBY, DATED 5/22/99

Response to Comment 1: Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Information regarding Valley Fever has been added to this section. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

I-86: KURT HAYDEN, DATED 5/9/99

Response to Comment 1: Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Noise and vibration impacts are described in Section 3.1.5 of the FEIS. Additional information is provided in Topical Response N/B-1. Effects on water resources and water quality are described in Sections 3.1.2 and 3.1.3 of the FEIS. Additional information is provided in Topical Responses WR-1 through WR-9 and WQ-1 through WQ-4. Impacts to Visual Resources as a result of the proposed Project, including nighttime lighting, are discussed in Section 3.1.10 of the FEIS.

I-87: KURT HAYDEN, DATED 5/9/99

Response to Comment 1: Please see the response to Comment 1, Letter I-86.

I-88: PAT ALLEN, DATED 4/12/99

Response to Comment 1: Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Information regarding the potential for Valley Fever has been added to this section. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

I-89: ROBERT K. GRIER, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-90: CHARLOTTE B. VAN LOHN, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-91: LINDA F. KIRK, DATED 5/15/99

Response to Comment 1: Air quality issues are discussed in Section 3.1.7 of the FEIS. Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2. Topical Responses PD-3, LU-1, LU-2, LU-3, and LU-4 discuss

issues regarding land use compatibility, general plan compatibility, and economic impacts. Traffic congestion impacts as a result of the proposed Project are discussed in Section 3.1.11 and in Topical Response T-1. The cumulative impacts of other proposed projects and others in the area, including Cal Mat, are discussed in Section 3.1.15 of the FEIS.

I-92: ROBERT E. BOWERS, DATED 5/15/99

No comment was included on this form.

I-93: CARL EUGENE GORHAM, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-94: BRAD JOHNSON, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-95: CARNETTA JONES, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-96: TOM TRIMBLE, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-97: HARRY LOCKART, DATED 5/15/99

Response to Comment 1: Public health and safety issues are discussed in Section 3.1.13 of the FEIS. Additional information regarding air quality, wind, public health and safety, and sensitive receptors is contained in Topical Responses AQ-1, AQ-2, PHS-1, and PHS-2.

I-98: RONDA LOCKART, DATED 5/15/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-99: FROM STUART LARSON, NO DATE

Response to Comment 1: Topical Response AQ-1 provides additional information regarding air quality and sensitive receptors.

Response to Comment 2: Page 1-1 of the DEIS and page 2-16 of the SDEIS both clearly state the period of mining on the site.

Response to Comment 3: Please see revisions to Section 3.1.7 on Air Quality, and the Air Conformity analysis in Appendix E-5.

Response to Comment 4: An extensive selection process was used to select and eliminate alternatives during the EIS process. Information on alternative selection are in Topical Responses ALT-1, ALT-2, and ALT-3.

Response to Comment 5: The DEIS and SDEIS both acknowledge that significant air quality impacts would result from the proposed Project.

Response to Comment 6: Additional information regarding sensitive receptors and wind-blown air emissions are presented in Topical Responses AQ-1 and AQ-2.

Response to Comment 7: Additional information on traffic methodology is in Topical Response T-1 and T-2. See also responses to Appendix H of Letter L-1.

Response to Comment 8: The TMC local operations are not related to operations elsewhere across the County. The firm has an excellent track record in Southern California.

Response to Comment 9: Thank you for your input. Your opposition to the Project is noted.

I-100: FROM TANA LAMPTON AND VINTON LAMPTON, DATED 1/10/00

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted. Information regarding the Project objectives is provided in Topical Response PD-2. Information regarding traffic impact methodology is provided in Topical Response T-1.

I-101: FROM JAMES FRAUTNICK, DATED 10/4/99

Response to Comment 1: Additional information regarding dust, sensitive receptors, and public health and safety can be found in Topical Responses PHS-1, PHS-2, and AQ-1.

Response to Comment 2: Information regarding traffic impact methodology is provided in Topical Response T-1.

Response to Comment 3: Additional information regarding potential impacts from blasting is in Topical Response N/B-1.

Response to Comment 4: Thank you for your input. Your opposition to the Project is noted.

I-102: ALAN AND CHRISTINE CHUDNOW, DATED 10/5/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

Response to Comment 2: Information regarding traffic impact methodology is provided in Topical Response T-1.

I-103: SUSAN TARE, DATED 12/13/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-104: JOSEPH V. CASTANAGA, JR., DATED 12/26/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-105: B. R. GALLERY, DATED 12/12/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-106: PETER SAPUTO, DATED 10/12/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-107: GEORGE MILLER, DATED 10/12/99

Response to Comment 1: Air Quality issues are discussed in Section 3.1.7 of the FEIS. Additional information on air quality, silica content, and prevention of offsite hazard is contained in [SDEIS Section 2.2.4.3]. See also other responses to comments in this volume.

Response to Comment 2: The Need for Aggregate Reserves, Need for State Classification and Designation of Regionally Significant Construction Aggregate Resource Areas, and Marketing Factors of Aggregate Reserves for the Greater Los Angeles Area and Santa Clarita Valley Markets are discussed in the DEIS and FEIS. The aggregate reserve information contained in the FEIS is based on CDMG studies and is consistent with the information supplied by CDMG on Aggregate Resources in the Los Angeles Metropolitan Area, 1999 Miscellaneous Map No. 010.

I-108: DALE & MONIQUE STUART, DATED 10/20/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

I-109: ELAINE AND HOWARD FOX, DATED 10/5/99

Response to Comment 1: Thank you for your input. Your opposition to the Project is noted.

SECTION 4.0 - RESPONSES TO COMMENTS RECEIVED AT BLM PUBLIC HEARING

4.1 INTRODUCTION

The listing that follows presents those commentators that gave oral testimony at the BLM public hearing held during the EIS public comment period. Responses to those comments are included in this section. A copy of the oral testimony transcript is presented in Volume 3 of this FEIS.

Listing of Speakers Who Presented Testimony at EIS Public Hearing
June 2, 1999

CODE	AGENCY	SIGNATURE, TITLE
1	Agua Dulce Town Council	James Duzick, President
2	Agua Dulce Civic Association	Diane Terito
3	Acton-Agua Dulce School Board	James Duzick, President
4		Charles Conklin
5		James Butler
6	Wright Patterson Air Force Base Environmental Group	Joseph Yore
7		Robert Fleck
8		Jan Meggs
9	Natural History Club of Acton-Agua Dulce	Stacey Nickels
10		Marsha McLean
11	Agua Dulce Town Council, Civic Association	Tana Lampton
12	Safe Actions for the Environment, Agua Dulce Civic Association	Linda Kirk
13		Ben Curtis
14		Diane Curtis
15		Dale Curtis
16		Gregg McMillun
17		Allan Cameron
18	Safe Action for the Environment	Andrew Fried, President
19		Stuart Larson
20	Santa Clarita Organization for Planning and Environment	Lynne Plambeck
21		Allan Cameron
22		Arthur Edwards
23		Karen Towles
24		Lynne Plambeck
25		Dr. Jonathan Troung
26		Mike Karbacher
27		Pat Allen

4.2 RESPONSES TO COMMENTS

1 - JAMES DUZICK, AGUA DULCE TOWN COUNCIL

Potential conflicts with the proposed Project, adjacent land uses, and local planning documents are issues discussed in the DEIS, the SDEIS, and in this FEIS. The commentator is also referred to Topical Responses LU-1 through LU-4 in Section 2.0 of the Responses to Comments.

2 - DIANE TERITO, AGUA DULCE CIVIC ASSOCIATION

Mining proximate to Agua Dulce is recognized and discussed in the land use section in Section 3.1.12.1 and in Section 1.2.2 describing the local setting. The land designated for the Proposed Project is designated for mining. The EIS provides analytical approaches to the assessment of the Project's environmental impacts based on environmental significance criteria developed to address the effects on the local populations. Refer also to EIS Sections 3.1.7 (Air Quality), 3.1.12 (Land Use), and 3.1.11 (Traffic). Additional information is presented in Topical Responses in Section 2.0 of this response to comments volume. Further information is also contained throughout the responses to written comments.

3 - JAMES DUZICK, ACTON-AGUA DULCE SCHOOL DISTRICT

This commentator requested that the BLM observe existing laws (NEPA, SMARA, and CEQA) and that the BLM ensure that all mitigation measures were enacted. The commentator supported the no project alternative. The BLM will ensure that all federal laws are followed. The County of Los Angeles is the lead agency for compliance with state law. A mitigation monitoring program has been added to the FEIS (see Section 2.2.5).

4 - CHARLES CONKLIN

This comment discussed the BLM resource management planning process. This process is discussed in Section 1.0 (Purpose and Need) of the EIS.

5 - JAMES BUTLER

Air quality, water resources, and traffic issues are addressed in EIS Sections 3.1.2 (Water Resources), 3.1.4 (Water Quality), 3.1.7 (Air Quality), and 3.1.11 (Traffic). Additional information is presented in Section 2.0 of this response to comments volume.

6 - JOSEPH YORE

This commentator repeated his comments submitted in writing. Responses to this comment letter are in Section 3.0 of this response to comments volume.

7 - ROBERT FLECK, SAND CANYON HOMEOWNERS ASSOCIATION

It is recognized that a number of larger developments are within the areas surrounding the Project site, including Sand Canyon, Stonecrest, Aqua Dulce and others. The EIS provides analytical approaches to the assessment of the Project's environmental impacts based on environmental significance criteria

developed to address the effects on the local populations. The commentator is referred to EIS Sections 3.1.2 (Water Resources), 3.1.4 (Water Quality), 3.1.7 (Air Quality), and 3.1.11 (Traffic). Additional information is presented in Section 2.0 of this response to comments volume.

8 - JAN MEGGS

Information regarding valley fever and other health issues is included in Topical Response PHS-2 and in Section 3.1.13 of this FEIS.

9 - STACEY NICKELS, NATURAL HISTORY CLUB OF ACTON-AGUA DULCE

This commentator repeated comments submitted in writing. Responses to this comment letter are in Section 3.0 of this response to comments volume.

10 - MARSHA MCLEAN, SANTA CLARITA VALLEY PRESERVATION COMMITTEE, SANTA CLARITA VALLEY CHAMBER OF COMMERCE

Water resources, air quality, traffic, public health and safety, and cumulative impacts are addressed in EIS Sections 3.1.7 (Air Quality), 3.1.11 (Traffic), 3.1.13 (Public Health and Safety), and 3.1.15 (Cumulative Impacts). The commentator is also referred to the Topical Responses in Section 2.0 of this response to comments volume.

11 - TANA LAMPTON

Air quality and health and safety issues were addressed in EIS Sections 3.1.7 (Air Quality) and 3.1.13 (Public Health and Safety). The commentator is also referred to the Topical Responses in Section 2.0 of this response to comments volume.

12 - LINDA KIRK

This commentator stated opposition to the Project. This comment is noted.

13 - BEN CURTIS

A discussion of the alternatives selection process is provided in Topical Response ALT-1 in Section 2.0 of this response to comments volume.

14 - DIANNE CURTIS

Traffic issues were addressed in EIS Section 3.1.11 (Traffic). The commentator is also referred to the Topical Responses in Section 2.0 of this response to comments volume.

15 - DALE CURTIS

The commentator stated that notification of the public hearing was insufficient. BLM has agreed to consider all written and oral comments for the EIR (see Section 6.0).

16 - GREG MCMILLUN

Visual resources, air quality, and traffic are addressed in EIS Sections 3.1.7 (Air Quality), 3.1.10 (Visual Qualities), and 3.1.11 (Traffic). The commentator is also referred to the Topical Responses in Section 2.0 of this response to comments volume.

17 - ALLAN CAMERON

This commentator requested additional time to comment on the DEIS. The comment period for the DEIS was extended.

18 - ANDREW FRIED, SAFE

This commentator stated his opposition to the project and stated that his organization (SAFE) had retained an urban planner who would submit written comments. The responses to these comments are in Section 6.0, Letter C6. Additional written comments from SAFE are responded to in Section 3.0 of this response to comments volume.

19 - STUART LARSON

Air quality and traffic impacts are discussed in the FEIS. A revised air quality section is included in Section 3.1.7. The commentator is also referred to Topical Responses AQ-1, AQ-2, and T-1, and responses to Comments in the Appendices E and H of Letter L-1. These responses provide additional information regarding the methodologies and assumptions used in these analyses.

20 - LYNNE PLAMBECK, SANTA CLARITA ORGANIZATION FOR PLANNING AND ENVIRONMENT

Air quality, health, water resources, and biology issues were addressed in EIS Sections 3.1.2 (Water Resources), 3.1.4 (Water Quality), 3.1.7 (Air Quality), 3.1.8 (Biota), and 3.1.13 (Public Health and Safety). The commentator is also referred to the Topical Responses in Section 2.0 of this response to comments volume.

21 - ALLEN CAMERON (CONTINUED COMMENTS)

Land Use compatibility issues were addressed in EIS Sections 3.1.12 (Land Use). The commentator is also referred to Topical Response LU-3 in Section 2.0 of this response to comments volume.

22 - ARTHUR EDWARDS

This commentator expressed opposition to the Project. This comment is noted.

23 - KAREN TOWLES

Information regarding public health issues is presented in Topical Response PHS-2 in this volume, and in Section 3.1.13 of this FEIS.

24 - LYNNE PLAMBECK

This commentator requested that the EIR and EIS process be combined. The County exercised its legal right to prepare a separate CEQA document.

25 - JONATHAN TROUNG

This commentator discussed the potential for conjunctivitis, sinusitis, bronchitis, silicosis, and valley fever. Information regarding these public health issues is included in Topical Response PHS-2 and the same information also has been added to Section 3.1.13 of this FEIS.

26 - MICHAEL KARBACHER

This commentator discussed public health and safety issues. Information regarding public health has been added to Section 3.1.13 of this FEIS. Additional information on air quality, wind conditions and public health are included in Topical Responses AQ-1, AQ-2, and PHS-1, in Section 2.0 of this response to comments volume.

27 - PAT ALLEN

This commentator discussed issues regarding fugitive dust. Fugitive dust is discussed in Section 3.1.7 (Air Quality) of the EIS. Additional information is in Topical Responses PHS-1, AQ-1 and AQ-2, in Section 2.0.

SECTION 5.0 - RESPONSES TO COMMENTS RECEIVED ON THE COUNTY DEIR

5.1 INTRODUCTION

BLM has committed to addressing the comments received from the County's DEIR process. The responses to written comments include many letters that are duplicative of those submitted to the BLM during the EIS process. Those duplicate letters are indicated in the listing below and readers are asked to refer to comments to the EIS letter as noted.

Letters are coded similar to those for the EIS, based on categories for State, Local and Community Groups/Associations, etc. Responses to a particular letter can be found in the appropriate section. The responses to comments are grouped and organized in this section as follows:

- Section 5.2 - Responses to Comment Letters from State Agencies.
- Section 5.3 - Responses to Comment Letters from Local Agencies.
- Section 5.4 - Responses to Comment Letters from Community Groups, Associations, Consulting Firms, and Legal Firms.
- Section 5.5 - Responses to Comment Letters from Individuals, Petitions, and Form Letters in Opposition to Project.
- Section 5.6 - Acknowledgement of Comment Letters from Individuals, Petitions, and Form Letters in Support of Project.

Copies of written letters for Sections 5.2, 5.3, and 5.4 are contained in Volume 4 of this FEIS. Copies of written letters for Sections 5.5 and 5.6 are contained in Volume 5 of this FEIS. Responses to DEIR oral hearing testimony are in Section 6.0, and transcripts are in Volume 6.

DEIR Letters Received from State Agencies

CODE	AGENCY	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
S-1	State of California-Business and Transportation Agency-DOT	Stephen J. Buswell, IGR/CEQA Program Manager	3/24/99	EIS Letter S-10
S-2	Department of Conservation – Office of Governmental and Environmental Relations	Jason Marshall, Assistant Director	4/7/99	EIS Letter S-1 enclosure
S-3	California Regional Water Quality Control Board	Jonathan Bishop, Chief of Regional Programs	4/11/99	
S-4	State Water Resources Control Board	Ross Swenerton, Chief/Environmental Review Unit 2	6/1/99	EIS Letter S-3
S-5	California Regional Water Quality Control Board Los Angeles Region	Jonathan Bishop, Chief Administrator	6/14/99	
S-6	Department of Conservation	James S. Pompy, Manager	6/16/99	
S-7	Department of Conservation	Jason Marshall, Assistance Director	9/10/99	EIS Letter S-1

CODE	AGENCY	SIGNATURE, TITLE	DATE	EIS LETTERS- CROSS REFERENCE
S-8	California Integrated Waste Management Board	Marcia Kiesse, Permitting & Inspection Branch	9/10/99	
S-9	California Regional Water Quality Control Board	Jonathan Bishop, Chief, Regional Planning	11/12/99	
S-10	State of California Governor's Office of Planning and Research State Clearinghouse	Terry Roberts, Senior Planning, State Clearinghouse	11/16/99	EIS Letter S-7. Enclosures include: EIS Letter S-1, EIS Letter S-10
S-11	California Legislature	George Runner, Assemblyman 36th District	9/22/99	

DEIR Letters Received from Local Agencies

CODE	AGENCY	SIGNATURE, TITLE	DATE	EIS LETTERS- CROSS REFERENCE
L-1	LA Department of Public Works	Harry W. Stone, Director of Public Works	4/7/99	
L-2	LA Department of Public Works- Building and Safety/Land Development Division	Ron Lacayo, Special Assignments	4/7/99	
L-3	LA Department of Public Works- Environmental Programs Division (memo)	Carlos Ruiz	3/29/99	
L-4	LA Department of Public Works- Flood Maintenance Division (memo)	Kenneth H. Erhard	3/25/99	
L-5	LA Department of Public Works- Hydraulic/Water Conservation Division (memo)	Thomas V. Schriber	3/23/99	
L-6	LA Department of Public Works- Traffic and Lighting Division (memo)	K.E. Weary	2/2/99	
L-7	LA Department of Public Works- Traffic and Lighting Division (memo)	K.E. Weary	3/25/99	
L-8	LA Department of Public Works- Transportation Planning Assessments (memo)	Barry S. Witler	3/30/99	
L-9	LA County Department of Health Services	Chris Mastro, EHS III	3/25/99	
L-10	Southern California Association of Governments- Department of Regional Planning	J. David Stein, Manager, Performance Assessment and Implementation	3/17/99	
L-11	City of Santa Clarita	Jo Anne Darcy, Mayor	3/25/99	

CODE	AGENCY	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
L-12	LA Department of Parks and Recreation	Kimel Conway, Chief of Planning	3/31/99	
L-13	City of Santa Clarita	Jefferey Lambert, AICP, Director of Planning and Building Services	4/14/99	EIS Letter L-1 Appendix A
L-14	Newhall County Water District	Thomas E. Schollenherger, General Manager	4/19/99	EIS Letter L-7
L-15	County of Los Angeles, Fire Department	Michael Wilkinson, Chief, Forestry Division, Prevention Bureau	4/20/99	
L-16	City of Santa Clarita	Jefferey Lambert, AICP, Director of Planning and Building Services	7/2/99	EIS Letter L-1
L-17	Antelope Valley, Air Pollution Control District	Robert Zeller, Supervising Air Quality Engineer	7/6/99	
L-18	City of Santa Clarita	Lisa Hardy, AICP	7/7/99	
L-19	City of Santa Clarita	Jeffrey Lambert, Director of Planing and Building Services	9/3/99	
L-20	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section Planning, Rule Development & Area Sources	9/10/99	EIS Letter L-10
L-21	Acton Chamber of Commerce	Scott Litchfield, President	8/31/99	
L-22	Acton-Agua Dulce Unified School District	Jim Duzick, President	9/7/99	
L-23	Newhall School District	Marc Winger, Superintendent	9/8/99	
L-24	Saugus Union School District	Gail Wickstrom, Superintendent	9/8/99	
L-25	Alameda Corridor Transportation Authority	Tim Buresh, Director of Construction and Engineering	7/6/99	
L-26	Sulphur Springs School Distict	Robert Nolet, Superintendent of Schools	8/11/99	
L-27	Acton Agua Dulce Unified School District	Jim Duzick, President Steve Harbeson, Clerk Sally McCord, Member Mark Nielsen, Vice President Martin Barofsky, Member	9/9/99	
L-28	County of Los Angeles Fire Department	Signature Illegible	6/9/99	
L-29	Saugus Union School District	Gail Wickstrom, Ed. D. Superintendent	10/19/99	EIS Letter L-4
L-30	Board of Supervisors County of Los Angeles	Michael D. Antonovich, Supervisor 5th District	10/12/99	
L-31	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning & Building Services	10/4/99	
L-32	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section	9/10/99	EIS Letter L-10, Attached Letter

CODE	AGENCY	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
L-33	Richard C. Slade and Associates	Richard Slade, Certified Engineering Geologist No. 929 for Castaic Lake Water Agency	9/13/99	

DEIR Letters Received from Community Groups/Associations/Consulting Firms

CODE	GROUP/FIRM NAME	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
C-1	Sand Canyon Homeowners Association	Sand Canyon Home Owners Association	3/26/99	
C-2	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC 1999	3/29/99	
C-3	Agua Dulce Civic Association Inc.	Donna Saufley, Corresponding Secretary	3/31/99	
C-4	Agua Dulce Town Council	Diane Terito, Secretary	3/31/99	
C-5	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC 1999	4/4/99	
C-6	Carmona and Associates	John Carmona	4/5/99	
C-7	Friends of the Santa Clara River	Barbara Wampole, Vice Chair	4/6/99	
C-8	Acton Town Council	Monet Pierce	4/6/99	
C-9	International Union of Operating Engineers	Steve A. Billy Treasurer	4/18/99	
C-10	Sierra Club-Angeles Chapter	Martin Schlageter, Conservation Director	5/15/99	EIS Letter C-8
C-11	Santa Clarita Organization for Planning the Environment	Lynne A. Plambeck	5/11/99	EIS Letter C-7
C-12	Friends of Santa Clarita River	Ron Bottorff, Chair	5/17/99	
C-13	Santa Clarita Alliance for Environmental Safety	Mary K. Riggins	6/8/99	
C-14	Remy, Thomas and Moose, LLP	Tina A. Thomas	7/14/99	EIS Letter C-3
C-15	Safe Action For the Environment	Tana Lampton, Director Safe Action For the Environment	9/13/99	EIS LetterC-6
C-16	Jeb Stuart Air Quality Consultant	Jeb Stuart, Air Quality Consultant	8/24/99	
C-17	Richard C. Slade & Associates LLC	Richard C. Slade, Certified Engineering Geologist No. 929	9/13/99	Moved to L-33
C-18	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC, A/AD	9/13/99	EIS Letter C-9
C-19	SCOPE	Lynne A. Plambeck, 1st Vice President	7/23/99	
C-20	Democratic Alliance for Acton (DAA)	Diane Trautman, President	7/27/99	EIS Letter C-12
C-21	Acton Town Council	David P. Weary, President Acton Town Council	8/18/99	

CODE	GROUP/FIRM NAME	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
C-22	San Marino Environmental Associates	Jonathan N. Baskin, Thomas R. Haglund Principal Senior Scientists	9/10/99	EIS Letter C-2
C-23	Law Offices Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shaping, LLP	R.J. Comer	9/10/99	
C-24	Friends of the Santa Clara River	Ron Bottorff, Chair	9/13/99	EIS Letter C-5
C-25	SCOPE	Lynne A. Plambeck	9/9/99	EIS Letter C-4
C-26	Agua Dulce Town Council and Agua Dulce Civic Association	James F. Duzick, President Diane Terito, Land Use Chair	9/6/99	EIS Letter C-13
C-27	S.A.F.E.	Andrew G. Fried, President	9/12/99	EIS Letter C-17, Attachment A
C-28	Sierra Club	Henry Schulz	9-13-99	EIS Letter C-1
C-29	Natural History Club of Acton/Aqua Dulce	Stacey Nickels, President NHC 1999	9/13/99	
C-30	Natural History Club of Acton/Aqua Dulce	Stacey Nickels, President NHC 1999	9/13/99	
C-31	Acton Civic Association	Kent M. Madsen, Acting President	9-13-99	
C-32	Safe Action For the Environment	Andrew G. Fried, President	9/12/99	EIS Letter C-17, Attachment B
C-33	Agua Dulce Town Council	James Duzick, President Diane Terito, Land Use Chair, Agua Dulce Civic Association	11/14/99	
C-34	Hall and Associates	Carlyle W. Hall, Attorney for SAFE	11/12/99	EIS Letter C-17
C-35	Center for Biological Diversity	Peter Galvin, Conservation Biologist	11/23/99	EIS Letter C-15
C-36	Thousand Trails	Steve Werner, Manager Thousand Trails	10/14/99	
C-37	Baker & McKenzie	Kerry Shapiro	11/24/99	

5.2 RESPONSES TO DEIR LETTER COMMENTS FROM STATE AGENCIES

S-3: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - FROM JONATHAN BISHOP, CHIEF OF REGIONAL PROGRAMS, DATED 4/11/99

2nd Paragraph:

1) All mining operations will occur north of Soledad Canyon Road which is north of the existing railroad and well above the streambed of the Santa Clara River (River) and its 100 year flood plain, as shown on Figure 2.4-4. The abandoned silt ponds located south of Soledad Canyon Road will not be used by the Project. The water production facilities including the wells and pipeline are the only Project facilities located south of Soledad Canyon Road and these facilities are all located outside the 100 year flood plain of the River. Therefore, with regard to the River, no flood plain or streambed disturbance will occur.

2) No "settling pits" are proposed for the Project. The reclamation of the Project stormwater desilting/debris basins is discussed in Section 2.2.1.2 Final Reclamation Plan.

3) As noted in Table 1.1-1, application will be made to the Army Corps of Engineers for a 404 Permit, if required.

4) No process water discharges will be made to the Santa Clara River. All process water will be recycled and used onsite. Therefore a Report of Waste Discharge will not be required. The only discharges from the site will be stormwater discharges. Stormwater discharges from the stormwater desilting/debris basins are regulated under the National Pollutant Discharge Elimination System (NPDES) General Permit. Per NPDES General Permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) including a storm water sampling and monitoring program, has been prepared for the Project and is included Appendix B1. A Notice of Intent will be filed prior to Project construction.

Water Quality Impacts: An analysis of stormwater runoff from the site is presented in Section 3.1.4.2 of the Water Quality section. Table 3.1.4-13 summarizes the stormwater outfalls for the Project and Table 3.1.4-14 lists the potential pollutants and their potential concentrations expected from stormwater outfalls. Stormwater discharges from the site will be in compliance with the Basin Plan and Federal NPDES requirements for stormwater discharges.

No process water silt ponds or settling ponds are planned for the Project (see Topical Response WQ-1). The Project does incorporate stormwater desilting/debris basins for the control of stormwater runoff, as discussed in Section 3.1.3.2 Flood. These desilting/debris basins will be designed to allow stormwater runoff to flow from the site at a controlled rate. The basins are not designed to contain stormwater runoff onsite. All of the desilting/debris basins will be located well outside the 100 year flood plain. As noted in the EIS, the stormwater desilting/debris basins will be designed for the 50 year capital flood in accordance with the County of Los Angeles Hydrology/Sedimentation Manual. The County of Los Angeles considers the 50 year Capital Flood to meet or exceed the Federal Emergency Management Agency's guidelines for a 100 year storm event.

All areas where dust suppressants will be used will drain to one of these stormwater desilting/debris basins. Lignin sulfonates and polymer type dust suppressants are relatively non-toxic and will be used in low quantities, resulting in no significant impacts on water quality. The use of magnesium chloride is addressed below.

The SWPPP and the SPCCP are designed to protect against the release of unauthorized materials to surface water and groundwater. The SWPPP includes stormwater pollution prevention measures as well as a stormwater sampling and monitoring program. The SPCCP identifies spill prevention and control procedures for aboveground storage tanks containing petroleum products. The SPCCP also includes spill response procedures in the event of a spill and provides for secondary containment in hazardous materials storage areas.

The Project site is not located in a reach of the River that is listed as impaired for chlorides on the State 303(d) list. The reach of the River listed as impaired for chlorides is Reach 8, which extends from Bouquet Canyon Road downstream to West Pier Highway 99. The Project is located on Reach 9 - Bouquet Canyon to Above Lang Station. See also response to Comment 16 of Letter F-1 in Section 3.2.

For the Project as originally proposed, magnesium chloride was planned to be used as a dust suppressant on the haul road to the NFSA, if necessary. Without the conveyor mitigation (Mitigation Measure AQ3), this would have involved the use of magnesium chloride on approximately 12 acres of unpaved road surface. With the conveyor mitigation, heavy equipment travel on the haul road is significantly reduced. Thus the use of magnesium chloride on the haul road may become unnecessary or at most will be limited to the length of road from the plant area to the main conveyor, an area of approximately 3 acres.

The use of magnesium chloride involves the application of approximately 0.5 gallon of solution for every square yard of surface area to be treated. Prior to application, the unpaved surface is scarified to enable the solution to penetrate to a depth of 3-6 inches. This application method results in a chloride concentration in the top 6 inches of soil in the application area of less than 1 percent.

Since the chloride is mixed in with 6 inches of soil, only a fraction of the chloride is available at the surface for dissolution in stormwater runoff. The manufacturer estimates that less than 2 percent of the chloride is available for dissolution in surface runoff. If we conservatively estimate that 5 percent of the chloride is available, the resulting potential concentration of chloride in surface runoff for the Project is estimated at 10-50 mg/l. This is within the Basin Plan objective of 50 mg/l for the Project reach of the River, and well below the Basin Plan objective of 100 mg/l for downstream reaches. As noted in the SWPPP, if magnesium chloride is used for dust suppression for the Project, stormwater runoff will be monitored for chloride, to ensure that excessive chloride concentrations are not occurring.

With regard to infiltration, the manufacturer used a mass balance approach to estimate the migration of salts beneath the area of application. The following transport equation of advection and dispersion was used as an infiltration model to describe the transport of chloride through soil:

$$D \frac{\delta^2 c}{\delta x^2} - V \frac{\delta c}{\delta x} - \frac{\delta c}{\delta t} = 0$$

where "D" is the dispersion coefficient it, "c" is the chloride concentration, "V" is the percolation rate through the soil, "x" is the distance, and "t" is the time (VanGenuchten, 1982).

Transport through three types of soil were analyzed, a sandy soil, a loam soil and a clay soil. The results for the sandy soil, the soil with the fastest transport rate, show that for an application rate of 1 gallon per square yard per year over a period of 50 years, the concentration of chloride in soil at a depth of 8 meters (27 feet), is estimated at 41 ppm. The concentration at depths of 10 meters and greater is estimated to be less than 0.01 ppm. As noted above, the application rate for the Project will be less than 1 gallon per square yard and the application period will be 20 years. Thus, the concentration of chloride in soil at a depth of 25 feet or greater is expected to be well below 41 ppm and will not present an impact to groundwater located below this depth.

As noted in Water Quality mitigation measure WQ4, the proposed onsite sanitary septic leach field will be built only after County review and approval of the location to ensure that there will be no possible impact on water quality. If acceptable site conditions cannot be found, a septic system designed for routine pump out will be installed.

Lost Habitat: See Topical Responses WR-6, WR-7, WR-8, and BIO-3. Please also see response to Comment 17 in Letter F-1 in Section 3.2, and response to Comment F-10 of Letter L-1 in Section 3.4.

Since no process water settling ponds will be used by the Project, there is no need for an action plan for flood conditions with regard to process water settling ponds. As noted in the EIS, the stormwater desilting/debris basins will be designed for the 50 year capital flood in accordance with the County of Los Angeles Hydrology/Sedimentation Manual. The County of Los Angeles considers the 50 year Capital Flood to meet or exceed the Federal Emergency Management Agency's guidelines for a 100 year storm event. See response to Comment 13 of Letter F-1 in Section 3.2.

All mining operations will occur north of Soledad Canyon Road which is north of the existing railroad and well above the streambed of the Santa Clara River (River) and its 100 year flood plain, as shown on Figure 2.4-4 of the EIS. The abandoned silt ponds located south of Soledad Canyon Road will not be used by TMC. The water production facilities including the wells and pipeline are the only Project facilities located south of Soledad Canyon Road and these facilities are all located outside the 100 year flood plain of the River. Therefore, with regard to the River, no flood plain and or streambed acreage will be disturbed. Three ephemeral drainages occur onsite. Application will be made to the Army Corps of Engineers for a 404 Permit for these ephemeral drainages, as required.

Water Rights: Project water use is analyzed with respect to resource availability in the vicinity of the Project Section 3.1.2.2. The availability of water from the Saugus Formation is discussed in relation to water resources available for the Eastern Subunit not for the Project. A discussion of the subsurface aquifer in the vicinity of the Project is presented in Section 3.1.2.1 under Project Site Vicinity. Additional information is contained in the GWS and WTI reports referenced in the EIS. Copies of these reports were made available to commentators, on request. See also Topical Responses WR-8 and WR-9.

S-5: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - LOS ANGELES REGION - FROM JONATHAN BISHOP, CHIEF OF REGIONAL PROGRAMS, DATED 6/14/99

Please see response to Comment S-3, above.

S-6: DEPARTMENT OF CONSERVATION - FROM JAMES POMPY, MANAGER, DATED 6/16/99

The constructive comments from the Office of Mine Reclamation (OMR) on the reclamation plan are appreciated. All of the comments have been incorporated into the FEIS and the Reclamation plan for the Project.

Specifically, a section clarifying and detailing the salvage, storage, and application of topsoil has been added to the plan (see FEIS 2.2.2.2). Additionally, the seeding method to be used for revegetation of the mine has been changed to reflect the option to use the most successful method based on equipment accessibility and test seeding. As stated in the DEIS, the method of seeding will depend on the type of slopes in different areas of the Project and may include imprinting or hydroseeding. Hydroseeding may be the only appropriate method available to seed the vertical portion of the serrated benches of the reclaimed mine. Tests conducted during concurrent reclamation will be undertaken, and the most successful seeding method will be used. With respect to the commentators suggestion to mound soil one to two inches above the crown of the container plants, the preparers disagree. The specifications for planting call for watering of the planting hole sufficiently (filling the planting hole before, during and after planting) to allow for soil settling. In the preparers' experience, some soil is naturally deposited during rain or irrigation into the plant basins. Therefore, the crown of the plant is usually left slightly (less than an inch) above the final grade to allow for some deposition of soil in the plant

basin. Native southern California species that are specified for the revegetation generally do not tolerate soil around the crown. As a compromise the text is clarified and specifies leaving no more than a half inch of the plant crown above grade (see FEIS 2.2.2.3).

The performance standards for the concurrent reclamation have been clarified and specified in the FEIS (see section 2.2.2.7). The additional species suggested in the comment have been added to the species lists in Tables 2.2-1 through 2.2-4. The commentator requested the deletion of crested needlegrass from the concurrent mining species list; however, this species will be a good host for mycorrhizae in the salvaged topsoil as well as an erosion control species which will add to the diversity of the concurrent reclamation revegetation. In the experience of the preparers, needlegrass species develop over a site in the second and third year of revegetation unless seeding takes place in a wet year. In wet years, needlegrass develops over a site in the first year of the revegetation. The FEIS reflects a reduced amount of seed per acre for this species in the concurrent mining revegetation.

S-8: CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD - FROM MARCIA KIESSE, PERMITTING & INSPECTION BRANCH, DATED 9/10/99

First bullet: We are aware that a permit may be required for greenwaste if that action is implemented as part of the Project.

Second bullet: See Topical Response ALT-3 in Section 2.0. Previous mining of the site has left the site with the hazards noted. Yes, the mining operation will have adverse effects to the site, but at the end of mining, with implementation of reclamation, the site will not be left with such hazards, and will be revegetated.

S-9: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - FROM JONATHAN BISHOP, CHIEF OF REGIONAL PROGRAMS, DATED 11/12/99

Comment 1: Estimates of the concentration and load from the Project of potential point and non-point sources of constituents for which the Santa Clara River is currently listed as impaired are addressed below.

Chloride - If a chloride containing dust suppressant is used on site, chloride can be present in stormwater discharges and percolating rainwater.

As noted in the response to Letter S-3, Comment 1 , the potential concentration of chloride in surface runoff for the Project is estimated at 10-50 mg/l. At this concentration, the annual chloride loading to the River averaged over 365 days is estimated at 2-10 lbs/day. These figures are very low when compared to Publicly Owned Treatment Works, with average chloride discharge concentrations of 120 160 mg/l and average chloride loads of 16,000 to 21,000 lbs/day.

Pesticides - None will be used by the Project.

Nitrogen and Coliform - The only sources of nitrogen and coliform would be the septic system. As discussed in WQ4, a septic system leach field will only be installed following County review and approval of the location to ensure that there will be no impact on water quality. If an appropriate location cannot be found, TMC will install a septic system designed for routine pump-out.

Algae - No materials which would contribute to the excessive growth of algae are planned to be used by the Project.

Comment 2: With the implementation of concurrent reclamation discussed in Section 2.2.1.1 and the erosion control and flood control measures presented in Section 3.1.3, no additional runoff is expected to be generated by the Project in wet seasons. No runoff will be generated by the Project in dry seasons.

Comment 3: Some additional percolation of washwater will occur under the stockpiles as the material drains. The annual quantity is estimated at 60 AFY for Phase 1 and 120 AFY for Phase 2. This is the potentially recoverable water identified in Technical Appendix C1 for Rock Plant Production.

Comment 4: The net change in groundwater due to increased percolation is estimated at 0.08 cfs for Phase 1 and 0.17 cfs for Phase 2. Since this percolation takes place primarily beneath the stockpiles, this change would be the same for normal, drought and flood conditions.

No net change in surface water contributions due to stormwater runoff from the site is expected. This would be applicable for the Project under 10 and 100 year drought conditions as well as 10 and 100 year flood conditions.

The net change in water flow in the Santa Clara River due to water extractions is estimated at a decrease of 0.61 cfs for Phase 1 and 1.03 cfs for Phase 2 of the Project. During a prolonged drought, extraction may be reduced for habitat protection or for Water Shortage Contingency adjustments, which would result in less reduction in water flow in the Santa Clara River. During 10 and 100 year flood conditions, extractions may be reduced due to wet conditions, which would also result in less reduction in water flow in the Santa Clara River.

S-11: CALIFORNIA LEGISLATURE - FROM GEORGE RUNNER, ASSEMBLYMAN, 36TH DISTRICT, DATED 9/22/99

The issues raised have been addressed in more specific terms in other portions of this document. Please see Topical Responses T-1 through T-3, responses to Appendix H of Letter L-1, and the revised air quality section (Section 3.1.7) of this FEIS.

5.3 RESPONSES TO DEIR COMMENT LETTERS FROM LOCAL AGENCIES

L-1: LOS ANGELES DEPARTMENT OF PUBLIC WORKS - FROM HARRY W. STONE, DIRECTOR, DATED 4/7/99

The letter serves as a cover letter for other public works comments, and no response is necessary.

L-2: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, BUILDING AND SAFETY - FROM RON LACAYO, SPECIAL ASSIGNMENTS, DATED 4/7/99

The comment notes that the Public Works Department has found the document's drainage and grading acceptable and no issues are raised. No response is needed.

L-3: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, ENVIRONMENTAL PROGRAMS - FROM CARLOS RUIZ, DATED 3/2999

It is recognized that approvals and permits would be required if any activity with regard to underground tanks would occur with the Project. These would be outside of BLM's authority. BLM defers to the County for any further response.

L-4: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, FLOOD MAINTENANCE DIVISION - FROM KENNETH H. ERHARD, DATED 3/25/99

This matter is outside BLM's authority. However, it is noted that previous communication with the Los Angeles Department of Public Works, Flood Maintenance Division has cleared up this confusion. The site facilities do not fit under the Small Dams Ordinance. Please also see response to Comment 13 of Letter F-1.

L-5: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, HYDRAULIC/WATER CONSERVATION DIVISION - FROM THOMAS V. SCHRIBER, DATED 3/23/99

Thank you for this comment. No response is necessary.

L-6: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, TRAFFIC AND LIGHTING DIVISION - FROM K.E. WEARY, DATED 3/25/99

The comment includes a memo from October 1998, prior to the release for public review of the DEIR. Changes were made to the DEIR as per this Traffic and Lighting Division letter. These responses were reviewed with Mr. Daryl Koutnik, County Regional Planning prior to incorporation into the DEIR.

Relative to the Project Access Road/Soledad Canyon Road recommended mitigation measures, these measures were previously presented in TLD's letter of August 26, 1998, and were responded to in November 1998. The subject mitigation has been incorporated into the document.

Relative to the SR-14 Northbound Ramps/Soledad Canyon Road discussion, the following language has been added as the new 3rd and 4th paragraphs under the subheading: **Soledad Canyon Road and Agua Dulce Canyon Road**, in the impacts section (3.11.1.2).

"The County Department of Public Works, Traffic and Lighting Division (TLD), evaluated this segment of Soledad Canyon Road using a more conservative methodology and concluded that the roadway operates at LOS D under existing a.m. peak hour conditions. Project traffic, when combined with traffic from cumulative projects, exceeds the significant impact threshold according to the County's criteria.

"TLD considered the feasibility of various mitigation options prior to stipulating the necessary mitigation measures (contained in TLD's February 2, 1999 letter to County Regional Planning in Appendix H of this EIR). TLD's proposed mitigation, which requires the widening and restriping of the Soledad Canyon Road east approach to the Antelope Valley freeway, is included in Section 3.1.11.3, Mitigation Measures (see Mitigation Measure T1). With implementation of this mitigation, the roadway impact is reduced to less than significant."

Mitigation language in T1 has been modified to reflect TLD's request as follows: "TMC's pro-rata shares of the traffic signal installation costs will be 100 percent of the cost for the Project access road/Soledad Canyon Road intersection, 6.5 percent of the cost for the intersection at SR-14 SB ramp/Soledad Canyon Road, and 9.1 percent of the cost at SR-14 NB ramp/Soledad Canyon Road, in accordance with County Guidelines."

Regarding Traffic Indices, the discussion in Section 3.11.1.2, under the subheading: **Soledad Canyon Road Traffic Index and Pavement Impacts**, has been modified to reflect the TI's presented in the TLD letter, the timing of a revised TI at the beginning of Phase 2, and then the determination of TMC's contribution in paying for identified improvements.

L-7: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, TRAFFIC AND LIGHTING DIVISION - FROM K.E. WEARY, DATED 2/2/99

See response to Comment L-6, above.

L-8: LOS ANGELES DEPARTMENT OF PUBLIC WORKS, TRANPORTATION PLANNING ASSESSMENTS - FROM BARRY S. WITLER, DATED 3/30/99

The comments were incorporated in the DEIR and the DEIS. When the Applicant applies for easements and conducts final engineering for Soledad Canyon Road improvements, they will provide the requested information to the County for approval.

L-9: COUNTY DEPARTMENT OF HEALTH SERVICES - FROM CHRIS MASTRO, ESHIII, BUREAU OF ENVIRONMENTAL PROTECTION, DATED 3/25/99

Response to Comment 1: For full discussion of onsite drainage issues, see Section 3.1.3.2. As discussed on page 3-82 of that section of the DEIR (and identical discussion in the DEIS), runoff from the debris basins will discharge at the rate for inflow for high storm events after the basin is filled, and over a 40 hour period for the remainder of the content of the basin. Newly disturbed areas will be revegetated each year, thus minimizing additional runoff. The debris basins will be designed in accordance with the requirements of the Los Angeles County Department of Public Works (DPW). The DPW will also review and approve final debris basin design prior to construction. Per a conservation with Chris Mastro on March 29, 2000), DPW oversight of the construction and installation of the basins will address the concerns identified in the March 25, 1999 letter.

Response to Comment 2: Retaining onsite vegetation for use in reclamation is a requirement of the Department of Conservation, Office of Mine Reclamation. We believe that no permit is required, anticipate the volumes to be low as the site is sparsely vegetated, and will use the product in the on-site ongoing reclamation.

L-10: SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS - FROM J. DAVID STEIN, MGR. PERFORMANCE ASSESSMENT AND IMPLEMENTATION, DATED 3/17/99

Thank you for your review and comments on the DEIR. As noted in your letter, the Project is consistent with SCAG goal and policies in the Regional Comprehensive Plan and Guide. As no issues were raised, no response is necessary.

L-11: CITY OF SANTA CLARIA - FROM JO ANNE DARCY, MAYOR, DATED 3/25/99

The comment is noted. Extensions were given to September 1999.

L-12: COUNTY DEPARTMENT OF PARKS AND RECREATION - FROM KIMEL CONWAY, CHIEF OF PLANNING, DATED 3/1/99

Please refer to response to Comment A-14 in Letter L-1 in Section 3.4.

L-15: COUNTY OF LOS ANGELES, FIRE DEPARTMENT - FROM MICHAEL WILKINSON, CHIEF FORESTRY DIVISION, PREVENTION BUREAU, DATED 4/20/99

The first paragraph of the addresses the need for a developer fee for fire protection that are specifically referring to commercial, industrial, or residential developments that involve building space. The Project does not appear to fall into these categories.

Under Code Requirements, except for the third paragraph, the requirements also do not relate to the Project. Regarding the Project being in Fire Zone 4, this is addressed in the Public Services section of the document (Section 3.1.6), based on previous consultation with the County. County requirements in the form of mitigation have already been incorporated into that section.

Under Commercial or Industrial, the requirements also do not relate to this Project.

L-17: ANTELOPE VALLEY AIR POLLUTION CONTROL DISTRICT - FROM ROBERT ZELLER, SUPERVISING AIR QUALITY ENGINEER, DATED 7/6/99

We appreciate your comment. No response is necessary.

L-18: CITY OF SANTA CLARITA - FROM LISA HARDY, AICP, DATED 7/7/99

The comments from individuals are incorporated in Section 5.1.5 below. The May 11, 1999 transcript and responses to those oral comments are contained in Section 5.2.2 below.

L-19: CITY OF SANTA CLARITA – FROM JEFFREY LAMBERT, DIRECTOR, PLANNING & BUILDING SERVICES, DATED 7/7/99

Time for submittal of County comments is outside BLM's authority. BLM defers to the County for further comment. All responses have been received from the City of Santa Clarita and are addressed in this FEIS responses to comments volume.

L-21: ACTON CHAMBER OF COMMERCE - FROM SCOTT LITCHFIELD, PRESIDENT, DATED 8/31/99

The comment raises no specific issues of the DEIR, thus no response is necessary.

L-22: ACTON-AGUA DULCE UNIFIED SCHOOL DISTRICT - JIM DUZICK, PRESIDENT, DATED 9/7/99

The issue of time period for receipt of responses on the DEIR from the school district is outside BLM's authority. BLM defers to the County for further comment.

L-23: NEWHALL SCHOOL DISTRICT - FROM MARC WINGER, SUPERINTENDENT, DATED 9/8/99

The issue of time period for receipt of responses on the DEIR from the school district is outside BLM's authority. BLM defers to the County for further comment.

L-24: SAUGUS UNION SCHOOL DISTRICT - FROM GAIL WICKSTROM, SUPERINTENDENT, DATED 9/8/99

The issue of time period for receipt of responses on the DEIR from the school district is outside BLM's authority. BLM defers to the County for further comment.

L-25: ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY - FROM TIM BURESH, DIRECTOR OF CONSTRUCTION AND ENGINEERING, DATED 7/6/99

The comment is in support of the need for the Project. No response is necessary.

L-26: SULPHUR SPRINGS SCHOOL DISTRICT - FROM ROBERT NOLET, SUPERINTENDENT, DATED 8/11/99

The comment raises no specific issues with regard to the DEIR, thus no response is required. The County will address later, if appropriate.

L-27: ACTON/AGUA DULCE UNIFIED SCHOOL DISTRICT - FROM JIM DUZICK, ET.AL, DATED 9/9/99

The comment raises no specific issues with regard to the DEIR, thus no response is required.

L-28: COUNTY OF LOS ANGELES FIRE DEPARTMENT - FROM (SIGNATURE ILLEGIBLE), DATED 6/9/99

The County requirement was received prior to issuance of the public DEIR. The requirements have been incorporated into the public services section of the document.

L-30: BOARD OF SUPERVISORS, COUNTY OF LOS ANGELES - FROM MICHAEL D. ANTONOVICH, SUPERVISOR, 5th DISTRICT, DATED 10/12/99

See revised air quality section (Section 3.1.7). The documents have remained and will remain consistent for technical issues throughout the course of their preparation.

L-31: CITY OF SANTA CLARITA - FROM JEFFREY LAMBERT, DIRECTOR, PLANNING & BUILDING SERVICES, DATED 10/4/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised. All responses have been received from the City of Santa Clarita and are addressed in this FEIS response to comments volume.

L-33: RICHARD C. SLADE & ASSOCIATES LLC, CERTIFIED GEOLOGIST, DATED 9/13/99

Paragraphs 1: Well construction details for one of the production wells and three monitoring wells are presented in the referenced reports, which were provided to Slade and Associates for review. All future wells will be constructed in accordance with state and local agency guidelines and with the appropriate permits.

Paragraph 2: The reports referenced by the commentator were made available to the public on request and, therefore, comply with NEPA and CEQA.

Paragraph 3: The existing onsite production well is not part of the Project.

Paragraph 4: Groundwater monitoring will be conducted as noted in the DEIR and as required by all permitting agencies.

Paragraph 5: The Habitat Monitoring and Protection Plan (HMPP) contained in the Technical Appendices of the DEIR provides action levels that will be used to initiate reduction or cessation of pumping of the underflow of the river. The HMPP identifies the United States Fish and Wildlife Service as the agency responsible for the protection of the UTS habitat.

Paragraph 6: TMC has committed to reducing or halting water extractions to comply with the HMPP and the Water Shortage Contingency Plan.

Paragraph 7: Comment noted. Issue is an operational matter taken into consideration by TMC.

Paragraph 8: All necessary permits will be obtained to construct and operate production wells for the Project.

Paragraph 9: Stormwater sampling and analysis will be conducted in accordance with the statewide General Permit and as detailed in the Stormwater Pollution Prevention Plan presented in the DEIR. The Spill Prevention, Control and Countermeasures Plan contains response procedures which require that spills be contained and cleaned up promptly.

Paragraph 10: Statement. No response needed.

Paragraph 11: The water budget for the Project is included in the Technical Appendices of the DEIR. Recycling procedures are discussed on Page 1-43 of the DEIR.

Paragraph 12: Substantial water recovery can be achieved on unpaved surfaces.

Paragraph 13: As discussed in Section 3.1.3 of the DEIR the debris basins will be constructed pursuant to permits from and in accordance with the requirements of the Los Angeles County Department of Public Works (LACDPW). The 50-year capital flood is the standard design event required by the LACDPW.

5.4 RESPONSES TO DEIR LETTER COMMENTS FROM COMMUNITY GROUPS/ ASSOCIATIONS/CONSULTING FIRMS

C-1: SAND CANYON HOMEOWNERS ASSOCIATION, DATED 3/26/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised. Any DEIR comments from homeowner's associations are covered in this section.

C-2: NATURAL HISTORY CLUB OF ACTON/AGUA DULCE - FROM STACEY NICKELS, PRESIDENT NHC 1999, DATED 3/29/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-3: AGUA DULCE CIVIC ASSOCIATION INC. - FROM DONNA SAUFLEY, CORRESPONDING SECRETARY, DATED 3/31/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-4: AGUA DULCE TOWN COUNCIL - FROM DIANE TERITO, SECRETARY, DATED 3/31/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-5: NATURAL HISTORY CLUB OF ACTON/AGUA DULCE - FROM STACEY NICKELS, PRESIDENT NHC 1999, DATED 4/4/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-6: CARMONA & ASSOCIATES - FROM JOHN CARMONA, DATED 4/5/99

Paragraphs 1 and 2: The commentator raises no specific issues of inadequacy with regard to sections of the DEIR, and no response from BLM is required. The County may respond later in their process.

Paragraph 3: The AQMD is both a permitting and responsible agency and as such has received copies of the NOP, the DEIR, the DEIS, and the SDEIS. Correspondence with this agency has occurred and their comments have been dealt with accordingly. All comments of the District have been taken into consideration in the revisions to the air quality section (Section 3.1.7) of the FEIS. The air quality

section preparer has worked diligently with the District during this process that also included preparation of the Draft Conformity Analysis contained in Appendix E-5 of the FEIS.

Paragraph 4: The commentator raises no specific issues in this comment with regards to technical matters. No response is required.

Paragraph 5: Please see Topical Responses T1 through T-3, and responses to Appendix H of the Santa Clarita Letter L-1 in Section 3.3, and response to L-6 above.

C-7: FRIENDS OF THE SANTA CLARA RIVER - FROM BARBARA WAMPOLE, VICE CHAIR, DATED 4/6/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-8: ACTON TOWN COUNCIL - FROM MONET PIERCE, DATED 4/6/99

The issue of DEIR response time is outside BLM's authority. BLM defers to the County for a response as no federal issue is raised.

C-9: INTERNATIONAL UNION OF OPERATING ENGINEERS - FROM STEVE A. BILLY, TREASURER, DATED 4/18/99

The comment for documents was received and responded to by the County. No issues of EIR adequacy are presented and no response is necessary.

C-12: FRIENDS OF THE SANTA CLARA RIVER - FROM RON BOTTORFF, CHAIR, DATED 5/17/99

Please see response to Comment 13 of Letter F-1 in Section 3.2.

C-13: SANTA CLARITA ALLIANCE FOR ENVIRONMENTAL SAFETY - FROM MARY K. RIGGINS, DATED 6/8/99

The petitions have been noted, however, no specific issues have been raised, and no response is required.

C-16: JEB STUART, AIR QUALITY CONSULTANT, DATED 8/24/99

Thank you for your comment regarding public debate over air quality and the efforts put forth by SCAQMD and their requirements that the Project must adhere to.

C-19: SCOPE - FROM LYNN PLAMBECK, PRESIDENT, DATED 7/23/99

Copies of these documents have been provided to SCOPE.

C-21: ACTON TOWN COUNCIL - FROM DAVID P. WEARY, PRESIDENT, DATED 8/18/99

The comment raises no specific issues with regard to technical matters of the DEIR, thus no response is required. The commentator is referred to responses to comment letters in Section 3.0 of this response to comments volume.

C-23: CHRISTENSEN, MILLER, FINK, JACOBS, GLASER, WEILD & SHAPING, LLP - FROM R. J. COMER, DATED 9/10/99

Need for Aggregate Reserves: The Division of Mines and Geology (DMG) has spent many years studying the relationships regarding aggregate production and consumption. They predict aggregate consumption based on population in Open File Report 94-14 which includes the greater Los Angeles region, not just Los Angeles County. The facts provided by the commentator differ from those used in the FEIS. The source of these data is unclear. However, the FEIS, in Sections 1.1.2.1 and 1.1.2.3, demonstrate the need for aggregate resources in Los Angeles County.

Aggregate recycling was considered when developing the alternatives. Topical Response ALT-3 discusses the Project's relationship to local and state aggregate recycling programs. Although the use of recycled aggregate as an alternative to mining is growing, it accounts for less than 1-4 percent of nationwide aggregate demand according to the U.S. Geological Survey. The California Integrated Waste Management Board estimated the total generation of solid waste statewide at only 8.9 million tons per year. At a recycling rate of 57 percent the total of recycled inert solid waste statewide was only 5.9 million tons per year. In the County of Los Angeles, recycled aggregate will only be able to provide 1-3 million tons per year, less than 10 percent of the County's overall aggregate need. In addition, recycled aggregate is suitable only as aggregate base materials, such as crushed aggregate for road base, and is prohibited for use as PCC grade aggregate for use in ready-mixed concrete. For example, California Department of Transportation (Caltrans) specifications forbid the use of recycled aggregate in PCC for its projects (CDMG 1985).

SMGB Land Use Categories: Please see Topical Response LU-3 in Section 2.0.

Slender-Horned Spineflower: The flow from the debris/desilting basins has been designed to equal existing conditions flows. Runoff from the NFSA is small when compared to the entire watershed that flows into Bee Canyon that there would not be an effect even if no water was allowed to run off the site. The loss due to surface area alteration will not affect the spineflower population.

Land Use: It is noted that the current Bee Canyon Mobile Home project has 100 fewer units and less grading than the number of units analyzed in the land use section of the DEIS and DEIR. It is also noted that Figure 3.1.12-2 in the DEIS has been corrected from that of the DEIR. The current figure is included in the FEIS. It is also noted that a potential adjacent land use impact may still result, regardless of the number of units. No significant adjacent land use impact was identified in the DEIS or DEIR, only that the potential for one may exist. Bee Canyon's land use designation of Urban 1 (1.1 to 3.3 dwelling units per acre) may not be considered to be a "very low density residential" use as defined under "Compatible Land Use" by the SMGB. See also Topical Response LU-3.

Surrounding Land Uses: The intent was to describe the adjacent uses. However, this sections has been changed in the Final EIS.

Consistency with the Santa Clarita Valley Area Plan and General Plan: The Santa Clarita Valley Area Plan is a component of the County General Plan. Information on General Plan consistency and the Project's relationship with nearby land uses is in Topical Responses LU-3 and LU-4. Please note that no land use impacts were identified as significant with regard to Bee Canyon and adjacent use in the DEIS and DEIR, and no mitigation for land use is required. It is also noted that the BLM has determined the Reduced NFSA to be the Agency Preferred Alternative.

Surface Mining and Reclamation Act: See the Land Use and Consistency with area Plans above. Also refer to Topical Response LU-3 for a discussion of SMARA in the context of this Project. The Land Use section of the DEIS and DEIR do not identify a conflict in land use, only that there is a possibly for one to occur. In planning there is usually a difference between "low density" of 2.6 units per acre as stated by the commentator, and "very low density" as defined in the SMGB "Compatible Land Use" definition. Many planning jurisdictions define very low density as 1 unit per acre or less.

Reduced NFSA Alternative: The RNFSA Alternative has been selected by the BLM as the preferred alternative.

Combine RNFSA with Alternative NFSA Analysis: Again, we note that no impacts to Bee Canyon were identified as significant. Please see the expanded project description for the RNFSA in Section 3.2.14 of the FEIS.

Product Transportation Alternative: The rail haul alternative is in Topical Response ALT-2. The CDMG considers 30 highway miles to be the maximum distance for economically feasible delivery of PCC aggregates. Appendix E-4 of the DEIS presents the economics and the emissions associated with a hypothetical site which was assumed to be 30 miles further than the TMC proposed Project site from the identified primary market. The increased emissions alone from choice of a more distant alternative are nearly double what they would be for the proposed alternative. These increased emissions, combined with the increased costs associated with additional trucking mileage, makes such distant alternatives infeasible at best.

Regarding alternative mining locations, please see Topical Responses PD-2 and ALT-1.

Economic Feasibility: Thorough substantiation of the Project purpose and objectives are provided in the Draft EIR and Draft EIS. Additional information is provided in Topical Responses ADMIN-1, PD-2, and ALT-1.

C-31: ACTON CIVIC ASSOCIATION - FROM KENT M. MADISON, ACTING PRESIDENT, DATED 9/13/99

The comments raise no specific issues with regards to the DEIR, no BLM response is required. The County may provide response later in their process.

C-32: AGUA DULCE TOWN COUNCIL - FROM JAMES DUZICK, ET.AL, DATED 11/14/99

The comments raise no specific issues with regards to the DEIR, no BLM response is required. The County may provide response later in their process.

C-36: THOUSAND TRAILS - FROM STEVE WERNER, MANAGER, DATED 10/14/99

The traffic mitigation measures presented in the traffic (3.1.11) section of the DEIR, DEIS, and FEIS are the requirements of the County Department of Public Works. They have stringently reviewed the document and the traffic consultant has worked with them closely in the preparation of the analysis, and the required mitigation. See revised air quality section (3.1.7) and other comments throughout this document for air quality and noise issues.

C-37: BAKER & MCKENZIE - FROM KERRY SHAPIRO, DATED 11/24/99

This letter is a response from the Applicant's attorney to the County Regional Planning Commission. The County may choose to respond later in their process.

5.5 RESPONSES TO COMMENT LETTERS FROM INDIVIDUALS LETTERS/PETITIONS/ FORM LETTERS IN OPPOSITION TO PROJECT

Responses to comment letters received by the County during the DEIR public response period are responded to below. No index list is provided, as the names and dates for all letters received are presented below with the appropriate responses. Copies of the letters are contained in Volume 5 of this FEIS.

Comment letters IO-1 through IO-18 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-1: JAYNE HANNA, DATED 3/7/99
IO-2: ROBERT E. ALDERMAN, JR. REAL ESTATEE AND BUSINESS LAW - FROM ROBERT E. ALDERMAN, JR., DATED 3/30/99
IO-3: RPG - FROM PAMELA GORDON, DATED 4/1/99
IO-4: CATHERINE HEWITT, DATED 4/2/99
IO-5: MIKE AND MARY ALEXOFF, DATED 4/4/99
IO-6: TIM AND PATTY STOPPER, DATED 4/4/99
IO-7: JOE SAVATGY, NO DATE
IO-8: DOUGLAS E., DATED 4/5/99
IO-9: LAURA AND MARK KING, DATED 4/5/99
IO-10: POLISH CENTER IN LOS ANGELES, INC. - FROM CHRIS E. KOLSKI, PRESIDENT, DATED 4/5/99
IO-11: MARK A. CRUZ, DATED 4/6/99
IO-12: D. SCOTT AND JAYNE HENDRICKS, DATED 4/6/99
IO-13: AIMS MULTIMEDIA - FROM LEONA M. HUBER, DATED 4/6/99
IO-14: JUDITH AUDINO, NO DATE
IO-15: CURTIS SAND AND GRAVEL - FROM BEN W. CURTIS, PRESIDENT, DATED 4/8/99
IO-16: DENISE FLINDERS, DATED 4/8/99
IO-17: ROBERT F. FLINDERS, DATED 4/8/99
IO-18: JOE AND POLLY STAOTS, DATED 4/8/99

IO-19: BERTA GONZALEZ-HARPER, DATED 4/13/99

Several of the issue topics raised in this letter are elaborated in Section 2.0 - Disposition of Project Issues. The commentator is referred to the Topical Responses in that section of this FEIS.

Comment letters IO-20 through IO-36 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-20: RICHARD AND BONNIE LOMBAZRDO, DATED 4/19/99
IO-21: CHARLES ROBERT KNIGHT, DATED 4/25/99
IO-22: STEVEN SELVERI, DATED 4/25/99
IO-23: BESS LEVIN KNIGHT, DATED 4/25/99
IO-24: BONNIE SCHILF, DATED 4/26/99
IO-25: BONNIE SCHILF, DATED 4/28/99
IO-26: ROBERTA SELVERI, DATED 4/25/99
IO-27: MARIA ALBANESE, DATED 4/30/99
IO-28: SALVATOR ALBANESE, DATED 4/30/99
IO-29: SHIRLEY A. SKINNER, DATED 5/2/99
IO-30: SHIRLEY AND HAROLD R. SKINNER, DATED 5/2/99
IO-31: SHIRLEY AND HAROLD R. SKINNER, DATED 5/2/99
IO-32: JACQUELINE SIDDENS, DATED 5/7/99
IO-33: MARK SIDDENS, DATED 5/7/99
IO-34: KURT L. LAYDEN, DATED 5/8/99
IO-35: KURT L. LAYDEN, DATED 5/9/99
IO-36: LEO GOLDMAN, DATED 5/10/99

IO-37: TRESA RUDERT, DATED 5/13/99

The commentator raises many general questions related to her concerns with the Project. In response to the question on whether an environmental study has been conducted, there has been both an Environmental Impact Report (EIR) prepared by the County of Los Angeles and an Environmental Impact Statement (EIS) prepared by the U.S. Bureau of Land Management. Both are available for review at the Canyon Country, Valencia, and Newhall Libraries. Many answers to the commentator's questions are contained in those documents as well as this document.

Comment letters IO-38 through IO-40 comment on concerns addressed in the DEIR and issues that are further addressed in this FEIS. The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS. The County may further address these comments in the EIR process. These commentators are recognized below.

IO-38: VACLAV K. HAYEK, DATED 5/16/99
IO-39: TONY SANTORO, DATED 5/16/99
IO-40: BARBARA A. GIANNONA, DATED 5/16/99

Comment letters IO-41 through IO-42 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-41: KARLY WILSON, NO DATE
IO-42: GAIL EISENBERG, NO DATE

Comment letters IO-43 through IO-46 comment on concerns addressed in the DEIR and issues that are further addressed in this FEIS. The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-43: HEATHER R. MOSS AND SCOTT H. BYRD, NO DATE
IO-44: JOSEPH GIANNONE, DATED 5/16/99
IO-45: TORI MOSS, DATED 5/16/99
IO-46: BARBARA GROSS, DATED 5/16/99

Comment letters IO-47 through IO-66 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-47: TERESI FAMILY, DATED 5/17/99
IO-48: DOROTHY LEWIS, DATED 5/19/99
IO-49: WILLARD STEPHEN AND JANE ANN BAGBY, DATED 5/19/99
IO-50: CANYON OAKS RANCH SCHOOL - FROM MARTA THORNE, GARDENER, DATED 5/20/99
IO-51: JOAN IVY, DATED 5/21/99
IO-52: MICHAEL PUGMIRE, DATED 5/21/99
IO-53: MELISSA CLAIBORNE, DATED 5/23/99
IO-54: ROBERT AND ELEANOR EISELE, DATED 5/23/99
IO-55: PAUL LAVO, DATED 5/31/99
IO-56: GINA LAVO, DATED 5/31/99
IO-57: DAVID MORRIS, DATED 6/16/99
IO-58: JACKIE SKILLEY, DATED 6/16/99
IO-59: CHARMAINE POSTEN, DATED 6/16/99
IO-60: LORI POWELL, DATED 6/16/99
IO-61: RODOLFO JIMENEZ, DATED 6/16/99
IO-62: CONNIE JIMENEZ, DATED 6/16/99
IO-63: DENNIE SKELTON, DATED 6/16/99
IO-64: LEAH SOUTHWELL, DATED 6/16/99
IO-65: RICHARD COLEMAN, DATED 6/14/99
IO-66: DANIEL SOSA, DATED 6/15/99
IO-67: BILL COLANGELO, DATED 6/16/99

The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS.

IO-68: BESS KNIGHT, DATED 6/16/99

Please see the Topical Responses in Section 2.3.3 Land Use.

Comment letters IO-69 through IO-70 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-69: MARSHA CONWELLY, DATED 6/16/99
IO-70: KAREN CHEBUL, DATED 6/16/99

IO-71: BRIAN CHEBUL, DATED 6/16/99

The commentator's questions raise no issues of adequacy of the DEIR. Answers to the questions can be found in the DEIR and this FEIS.

Comment letters IO-72 through IO-76 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-72: KAREN MILLER, DATED 6/16/99
IO-73: LAURA STEGER, DATED 6/16/99
IO-74: JOHN BEIGHT, DATED 6/16/99
IO-75: GREG AND LILIANA SILBERMANT, DATED 6/16/99
IO-76: PENNY UPTON, DATED 6/16/99

IO-77: ROBERT LOMBARDO, DATED 6/16/99

Please see the Topical Responses in Section 2.0 on Transportation.

IO-78: JOANNE LOMBARDO, DATED 6/16/99

Please see the Topical Responses in Section 2.0 on Transportation, and responses in Appendix H of the City of Santa Clarita Letter L-1.

Comment letters IO-79 through IO-80 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-79: LINDA STELLING, DATED 6/16/99
IO-80: KAROLYN DEMOTT, DATED 6/16/99

IO-81: ROBERT LOMARDO, DATED 6/16/99

Please see the Topical Responses in Section 2.0 on Land Use.

IO-82: JOANNE LOMBARDO, DATED 6/16/99

Please see the Topical Responses in Section 2.0 on Land Use, and other responses in Letter L-1.

Comment letters IO-84 through IO-85 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-83: JOANNE LOMBARDO, DATED 6/16/99
IO-84: JAMES SCHILF, DATED 6/16/99

IO-85: MICHEL ENGERRAN, DATED 6/16/99

Please see the Topical Responses in Section 2.0 on CEQA Process, Project Record and Timeframes and Public Health and Safety.

Comment letters IO-86 through IO-91 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-86: ROBERT AND MARY CLEMENT, DATED 6/16/99
IO-87: PATRICIA TUCKER, DATED 6/16/99
IO-88: LARRY SCHALLERT, DATED 6/16/99
IO-89: ROBERT FLECK, DATED 6/16/99
IO-90: JANE A. FLECK, DATED 6/16/99
IO-91: CHRIS HOEFFLIN, DATED 6/16/99

IO-92: JOANNE LOMBARDO, DATED 6/16/99

The commentator's questions raise no issues of adequacy of the DEIR. Answers to the questions can be found in the DEIR and this FEIS. However, the County may further address these comments in the EIR process.

IO-93: JOAN DUNN, DATED 6/16/99

The commentator raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process.

IO-94: JO ELLEN RISMINCLEI, DATED 6/16/99

The commentator raises environmental concerns that are addressed in the DEIR and issues that are further addressed in this FEIS. The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS.

IO-95: JOAN DUNN, DATED 6/18/99

See revised Section 3.1.7.

Comment letters IO-96 through IO-100 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-96: ED DUNN, DATED 6/18/99
IO-97: T.S. KWONG, 6/24/99
IO-98: MARTA THORNE, DATED 6/27/99

IO-99: BOB AND LINDA LANG, DATED 6/29/99
IO-100: NORTHROP GRUMMAN CORPORATION - FROM BARRY SOUTHWELL, DATED 7/2/99

IO-101: NANCY MILLER, DATED 7/3/99

The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS.

Comment letters IO-102 through IO-103 comment on concerns addressed in the DEIR and issues that are further addressed in this FEIS. The commentator is referred to the Topical Responses in Section 2.0 - Disposition of Project Issues and other responses to comments in Section 3.0 of this FEIS. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-102: SUSAN WILSON, DATED 7/6/99
IO-103: GLENDA WOLFE, DATED 7/7/99

IO-104: BEN W. CURTIS, DATED 8/3/99

This comment letter raised no issues of adequacy of the DEIR, and no response is required. However, the County may further address these comments in the EIR process.

IO-105 and IO-106: Comment letters IO-105 and IO-106 were petitions signed in opposition of the Project. The opposition of these persons is noted. These petitions raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these petitions in the EIR process.

IO-107: TONEY KAY, NO DATE

Please see Topical Response PHS-1 regarding additional information on health and safety concerns related to the proposed Project.

IO-108 and IO-109: Comment letters IO-108 and IO-109 were petitions signed in opposition of the Project. These petitions raised no issues of adequacy of the DEIR, thus no response is required. The opposition of these persons is noted. However, the County may further address these petitions in the EIR process.

Comment letters IO-110 through IO-122 discussed public health and safety issues related to the proposed Project. The commentators are referred to Topical Response PHS-1 and Section 3.1.13 of the FEIS, which discuss these issues, including the potential for Valley Fever. These commentators are recognized below.

IO-110: JOHN HOWELL, PINECREST SCHOOL, DATED 9/8/99
IO-111: CLINTON SOUTHEN, PINECREST SCHOOL, DATED 9/8/99
IO-112: BRYCE, PINECREST SCHOOL, DATED 9/8/99
10-113: EVAN, PINECREST SCHOOL, DATED 9/8/99
IO-114: ASHTON, PINECREST SCHOOL, DATED 9/8/99
IO-115: CHRISTIAN, PINECREST SCHOOL, DATED 9/8/99

IO-116: JOHN HYATT, PINECREST SCHOOL, DATED 9/8/99
IO-117: YASAMIN, PINECREST SCHOOL, DATED 9/8/99
IO-118: KEVIN DEVERA, PINECREST SCHOOL, DATED 9/8/99
IO-119: JESSICA, PINECREST SCHOOL, DATED 9/8/99
IO-120: MICHAEL KIDON, PINECREST SCHOOL, DATED 9/8/99
IO-121: MICHAEL O'BRIEN, PINECREST SCHOOL, DATED 9/8/99
IO-122: NICHOLAS PADSADECKI, PINECREST SCHOOL, DATED 9/8/99

Comment letters IO-123 and IO-124 comment on concerns addressed in the DEIR and issues that are further addressed in this FEIS. The commentator is referred to the Topical Responses in Section 2.0 - particularly PHS-1 and AQ-2, and other responses to comments in Section 3.0 of this FEIS. These commentators are recognized below.

IO-123: SYDELL STOKES, DATED 8/23/99
IO-124: EDWARD GONZALES, DATED 7/4/99

IO-125: MARTINE GONZALES, DATED 8/31/99

This commentator raised issues concerning proximity of sensitive receptors, water availability, air quality, truck traffic, noise, and land use. These issues were discussed in the DEIR and are included in this FEIS. Additional information is provided in the Topical Responses in Section 2.0.

IO-126:

Comment letter IO-126 is a petition signed in opposition of the Project. This petition raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these petitions in the EIR process.

Comment letters IO-127 and IO-128 raise no issues regarding the adequacy of the DEIR, and no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-127: LA TANYA MONET PIERCE, 6/22/99
IO-128: KAREN EVANKO-ZWAIN, DATED 7/25/99

IO-129: SUSAN PERRY, ESQ., DATED 7/11/99

This commentator raised issues of adequacy regarding air quality, traffic, noise, light and glare (aesthetics), and water resources. These impacts were addressed in the DEIR and further addressed in this FEIS. The commentator is also referred to the additional information provided in the Topical Responses in Section 2.0.

Comment letters IO-130 through IO-134 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below.

IO-130: DOTTIE MCTAGGART, DATED 7/15/99
IO-131: JOHN K. SKELLEY AND JACKIE SKELLEY, DATED 7/19/99
IO-132: DAVID J. VOGL, DATED 7/1/99

IO-133: TAMMY SKINNER AND TODD SKINNER, DATED 7/10/99
IO-134: ROBERT PROCTOR, DATED 7/15/99

Comment letters IO-135 through IO-143 are form letters. This form letter discusses issues related to air quality, water resources, health and safety, traffic, and land use. All of these issues were discussed in the DEIR and in this FEIS. The commentators are also referred to the Topical Responses in Section 2.0. These commentators are recognized below.

IO-135: MARY AND ARTHUR LUDWIG, DATED 5/16/99
IO-136: RICHARD LERMIT, DATED 5/16/99
IO-137: BLAKE CONFER, DATED 5/16/99
IO-138: RUTH V. TSENG, DATED 5/16/99
IO-139: STANLEY S. GIBBS, DATED 5/16/99
IO-140: KIM GIBBS, DATED 5/16/99
IO-141: CRISTINA I. GALLEGOS, DATED 5/16/99
IO-142: LOIS M. WILLIAMS, DATED 5/16/99
IO-143: PHILLIP E. ROSS, DATED 5/16/99

IO-144: GREGORY SILBERMAN AND LILIAN PAGAN-SILBERMAN, DATED 7/19/99

This letter discusses issues related to geotechnical resources, water resources, noise and vibration, public services, air quality, cultural and paleontological resources, visual resources, traffic, land use, public health and safety, cumulative impacts, and alternative selection. These issues were addressed in the DEIR and in this FEIS. The commentators are also referred to the Topical Responses in Section 2.0 and other responses contained in Letter L-1.

Comment letters IO-145 and IO-146 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below:

IO-145: EDITH JESKE, NO DATE
IO-146: AMANDA BEBAK, DATED 8/19/99

Comment letters IO-147 through IO-153 are form letters. This form letter discusses issues related to air quality, water resources, health and safety, traffic, and land use. All of these issues were discussed in the DEIR and in this FEIS. The commentators are also referred to the Topical Responses in Section 2.0 and Letter L-1. These commentators are recognized below.

IO-147: LOIS MOORE, DATED5/16/99
IO-148: JOHN GARCIA, DATED5/16/99
IO-149: CARALIN KINCHELOE, DATED5/16/99
IO-150: LORI GARCIA, DATED5/16/99
IO-151: DENNIS GROSS, DATED5/16/99
IO-152: PERRY L. MCINTYRE, DATED5/16/99
IO-153: NO SIGNATURE, DATED5/16/99

IO-154: JONATHAN TRUONG, DATED 8/24/99

This commentator discusses health and safety, air quality, and water quality. These issues were discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0 and other responses in Letter L-1.

Comment letters IO-155 through IO-240 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below:

IO-155: GAIE KOPP, DATED 8/10/99
IO-156: JANE MAPLES, NO DATE
IO-157: TOREY PAIGE, DATED 8/28/99
IO-158: LYNNE HOP, DATED 8/27/99
IO-159: DAWN BRAYTON, DATED 8/27/99
IO-160: JORJA HARRIS, DATED 8/27/99
IO-161: KIM KIMSEY, DATED 8/27/99
IO-162: PATRICIA THOMPSON, DATED 8/27/99
IO-163: SHARON SAMUELSON, DATED 8/27/99
IO-164: SIGNATURE ILLEGIBLE, DATED 8/27/99
IO-165: CAROL ANDERSON, DATED 8/27/99
IO-166: LIN BOCK, DATED 8/27/99
IO-167: MARY RENFIT, DATED 8/27/99
IO-168: NATHAN ROLLINS, DATED 9/1/99
IO-169: MARY LEE, NO DATE
IO-170: SIGNATURE ILLEGIBLE, DATED 8/28/99
IO-171: MICHEL RESCIGNO, NO DATE
IO-172: BILL TOTH, DATED 9/2/99
IO-173: MARIE HOFBAUER, DATED 9/2/99
IO-174: RHODA KRANS, DATED 9/3/99
IO-175: BARRY EWING, DATED 9/2/99
IO-176: GREG MAWS, DATED 9/2/99
IO-177: SUZANNE ULRHOFF, DATED 9/2/99
IO-178: BALLIE GELSON, DATED 9/2/99
IO-179: MARY BONTEMPI, DATED 9/2/99
IO-180: DWIGHT AND DEBBIE HAWKIND, DATED 9/2/99
IO-181: SIGNATURE ILLEGIBLE, DATED 9/2/99
IO-182: COLLETTE UTELIMU, DATED 9/1/99
IO-183: U. CUCHINI, DATED 9/2/99
IO-184: RICHARD BASSLER, DATED 9/2/99
IO-185: JANS TANNER, DATED 9/2/99
IO-186: JODIE MONTO, NO DATE
IO-187: DONNA WEBSTER, DATED 9/2/99
IO-188: RICHARD MICKEL, DATED 9/2/99
IO-189: ROGER GELT, DATED 9/2/99
IO-190: BONNIE FENTRER, DATED 9/2/99
IO-191: DAVID LOYD, DATED 9/2/99
IO-192: MARYBELLE KNIGHT, DATED 9/2/99
IO-193: PENNY DISSINGER, DATED 9/2/99

IO-194: GLEN ROLLINS, DATED 9/1/99
IO-195: WILLIAM BOYD, NO DATE
IO-196: SIGNATURE ILLEGIBLE, 9/2/99
IO-197: GEORGE GARAYAN, DATED 9/1/99
IO-198: JAY TENNER, DATED 8/31/99
IO-199: SIGNATURE ILLEGIBLE, NO DATE
IO-200: JOYCE RESKAS, DATED 9/1/99
IO-201: GARY WASHBURN, DATED 9/1/99
IO-202: WILLIAM FRIESMAN, DATED 9/1/99
IO-203: S. WINTERS, DATED 9/1/99
IO-204: MEL WILSON, DATED 8/31/99
IO-205: KATHLEEN ANDERSON, DATED 9/1/99
IO-206: CHERYN WATKINS, DATED 9/1/99
IO-207: VALERIE WILLIAMS, DATED 9/1/99
IO-208: TINA DALY, DATED 9/1/99
IO-209: MICHAEL DUGAN, DATED 9/1/99
IO-210: JOHN TAVIS, DATED 9/1/99
IO-211: VICTOR VIERECK, DATED 9/1/99
IO-212: KYM CAPPI, DATED 9/1/99
IO-213: SIGNATURE ILLEGIBLE, DATED 9/1/99
IO-214: VINTON LAMPTON AND TANA LAMPTON, DATED 9/2/99
IO-215: MONICKA SIROLLI, DATED 9/2/99
IO-216: LINDA KAHL, DATED 9/1/99
IO-217: LAURETTA MARTIN, NO DATE
IO-218: ANITA MARTIN, DATED 9/1/99
IO-219: DAVE PARIKH, DATED 8/31/99
IO-220: SIGNATURE ILLEGIBLE, DATED 9/1/99
IO-221: DIANA GALLO, DATED 9/1/99
IO-222: TOM GEOFFROY, DATED 9/1/99
IO-223: STEPHEN ROBERTSON, DATED 9/1/99
IO-224: JAMES VAN GURISON, DATED 9/1/99
IO-225: JEANNE NEMO, DATED 9/1/99
IO-226: HELEN GABRIEL, DATED 9/1/99
IO-227: JOHN HEIXEIRA, DATED 8/31/99
IO-228: ELISE CAIN, DATED 9/1/99
IO-229: DEAN TROXELL, DATED 8/31/99
IO-230: PAULINE TALBERT, NO DATE
IO-231: JAMES SCHAFFERT, DATED 9/1/99
IO-232: SAL BUOCIE, DATED 9/1/99
IO-233: SIGNATURE ILLEGIBLE, NO DATE
IO-234: SIGNATURE ILLEGIBLE, 9/1/99
IO-235: KIMBERLY HALL, 9/2/99
IO-236: LINDA KIRK , DATED 8/26/99
IO-237: ALAN LASTOVICH, DATED 6/5/99
IO-238: JEANELL LASTOVICH, DATED 6/5/99
IO-239: MR. AND MRS. ANTHOONY DE RUBEIS, DATED 6/13/99
IO-240: THERESA TUCCILLO, DATED 6/14/99

IO-241: CHARLES BRINK, DATED 9/13/99

This commentator discusses Project objectives, water quality, EIR process, air quality, traffic, aesthetics, biological resources, and public services. These issues were discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0 and Letter L-1.

Comment letters IO-242 through IO-257 raised no issues of adequacy of the DEIR, thus no response is required. However, the County may further address these comments in the EIR process. These commentators are recognized below:

IO-242: BARBARA HUERTA, DATED 9/2/99
IO-243: PAM MCGUIRE, DATED 9/10/99
IO-244: CARMEN DELIGIRO, DATED 9/2/99
IO-245: STEVE MAGGIO, DATED 9/2/99
IO-246: MICHAEL DIX, DATED 9/2/99
IO-247: JUDY FEDDLER, DATED 9/2/99
IO-248: HADY BREIDY, DATED 8/31/99
IO-249: PAT RINER, DATED 9/2/99
IO-250: M. MCCORMICK, DATED 9/2/99
IO-251: MILDRED RUCERA, DATED 9/2/99
IO-252: EVELYN TAIBI, DATED 9/2/99
IO-253: LORETTA ROLLINS, DATED 9/1/99
IO-254: RIONE ANDERSON, DATED 8/2/99
IO-255: VIRGINIA AND ALBERT LLAMAS, NO DATE
IO-256: GERRY JUMUT, NO DATE
IO-257: NANCY FLORES, DATED 9/3/99

IO-257: MARGO KARBACHER, DATED 9/13/99

This commentator discusses public safety, water resources, flooding, selection of alternatives, noise, traffic, and air quality. These issues were discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, and responses to comments contained within the City of Santa Clarita Letter L-1.

IO-259: BEN CURTIS, DATED 11/15/99

This commentator discusses air quality, water resources, traffic, and hazardous waste. These issues were discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, and responses to comments contained within the City of Santa Clarita Letter L-1.

IO-260: LINDA CORAD, DATED 9/21/99

This commentator discusses public health and safety. These issues were discussed in the DEIR and this FEIS. Additional information is found in Topical Response PHS-1 in Section 2.0.

IO-261: MR. AND MRS. DARREL FURSTNOW, DATED 10/10/99

This comment letter raises no issues of adequacy for the DEIR. Thus, no response is required. However, the County may further address these comments in the EIR process.

5.6 RESPONSES TO COMMENT LETTERS, PETITONS, AND FORM LETTERS IN SUPPORT OF PROJECT

All commentators submitting letters in support of the Project are thanked for their support. No issues were raised regarding the adequacy of the DEIR, thus no response is required.

SECTION 6.0 - RESPONSES TO COMMENTS RECEIVED AT COUNTY PUBLIC HEARINGS

The listing that follows presents those commentators that gave oral testimony at a County public hearing during the DEIR public comment period. Responses to those comments are included in this section. A copy of the oral testimony from five hearings is presented in Volume 6 of this FEIS.

6.1 RESPONSES TO COMMENTS FROM DEIR PLANNING COMMISSION HEARING, APRIL 21, 1999

Listing of Speakers Who Presented Testimony at DEIR Planning Commission Hearing April 21, 1999

CODE	AGENCY	SIGNATURE, TITLE
1	Regional Water Quality Control Board	Elizabeth Erickson
2	City of Santa Clarita	Vince Bertoni, Planning Manager
3	T.W. Construction	Tim Wilson
4	C.A. Rasmussen	Sharon Minerva
5		Bill Campbell
6	Southdown, Inc	Allen Thomas
7	Quinn Company	Bill Gaun
8	TMC	Thomas Powell
9	Southdown, Inc.	Phillip Avila
10	Century Sand and Gravel	Larry Eckrut, President
11		Stewart Larson
12		Chris Kolski
13		Linda Kirk
14		Stewart Kozoil

1 - ELIZABETH ERICKSON, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

This commentator discussed water rights, water quality, biological resources, and site runoff. These issues were addressed in the DEIR and this FEIS. Additional information is in the Topical Responses in Section 2.0 and Letter L-1.

2 - VINCE BERTONI, PLANNING MANAGER, CITY OF SANTA CLARITA

This commentator did not speak in favor or against the proposed Project and did not raise any issues of adequacy of the DEIR. No response is required.

The following commentators spoke in favor of the Project and did not raise any issues of adequacy of the DEIR. No response is required. These commentators are recognized below.

3 - TIM WILSON, TW CONSTRUCTION
4 - SHARON MINERVA, CA RASMUSSEN
5 - BILL CAMPBELL

6 - ALLAN THOMAS, SOUTHDOWN TRANSIT MIXED CONCRETE
7 - BILL GAUN, QUINN COMPANY
8 - THOMAS POWELL, TRANSIT MIXED CONCRETE
9 - PHILLIP AVILA, SOUTHDOWN CORPORATION
10 - LARRY ECKRUT, CENTURY SAND AND GRAVEL

11 - STEWART LARSON

This commentator discussed air quality issues. This issue was discussed in the DEIR and in this FEIS. The commentator is also directed to the Topical Responses in Section 2.0 and Appendix E of Letter L-1.

The following commentators spoke against the proposed Project and did not raise any issues of adequacy of the DEIR. No response is required.

12 - CHRIS KOLSKI
13 - LINDA KIRK
14 - STEWART KOZOIL

6.2 RESPONSES TO COMMENTS FROM CITY OF SANTA CLARITA CITY COUNCIL MEETING, MAY 11, 1999

Listing of Speakers Who Presented Testimony
City of Santa Clarita City Council Meeting
May 11, 1999

CODE	AGENCY	SIGNATURE, TITLE
1		Jim Duzick
2		Charles Conklin Jr.
3		Diane Terito
4		Stacey Nickels
5		Tana Lampton
6		Mike Karbucker
7		Margo Karbucker
8		Robert Baida
9		Michell Johnson
10		David Colmeyer
11		Cisco McGregor
12		Richard Christensen
13		Jane Fleck
14		Ed Dunn
15		Stuart Larson
16		Judy Fried
17		Ben Curtis
18		Andy Fried
19	Santa Clarita Valley Canyon Preservation Committee	Marsha McLeon, President

CODE	AGENCY	SIGNATURE, TITLE
20	Santa Clarita Organization for Planning and Environment (SCOPE)	Lynn Planbeck
21		Chris Hoefflin
22		Charmaine Posten
23		Karen Chebul
24		Bonnie Schilf
25		Jonathan Twong
26		Patricia Allen
27		Connie Warden-Roberts
28		Allan Cameron
29		Val Thomas

Commentators 1 through 14 did not raise any issues of adequacy of the DEIR and no response is required. These commentators are recognized below.

1 - JIM DULZICK, AGUA DULCE TOWN COUNCIL, AGUA DULCE CIVIC ASSOCIATION
2 - UNNAMED COMMENTATOR
3 - DIANE TERITO
4 - STACEY NICKELS
5 - TANA LAMPTON
6 - MIKE KARBACKER
7 - MARGO KARBACKER
8 - ROBERT BAIDA
9 - MICHELLE JOHNSON
10 - DAVID COLMEYER
11 - CISCO MCGREGOR
12 - RICHARD CHRISTEHNSEN
13 - JANE FLECK
14 - ED DUNN

15 - STUART LARSON

This commentator raised issues regarding air quality and traffic. These issues were discussed in the DEIR and in this FEIS. The commentator is also referred to the Topical Responses in Section 2.0 and Letter L-1.

Commentators 16 through 29 did not raise any issues of adequacy of the DEIR and no response is required. These commentators are recognized below.

16 - JUDY FRIED
17 - BEN CURTIS
18 - ANDY FRIED
19 - MARSHA MCLEON
20 - LYNNE PLANBECK
21 - CHRIS HOEFFLIN
22 - CHARMAINE POSTEN

23 - KAREN CHEBUL
24 - BONNIE SCHLIF
25 - JONATHAN TWONG
26 - PATRICIA ALLEN
27 - CONNIE WARDEN-ROBERTS
28 - ALLAN CAMERON
29 - VAL THOMAS

6.3 RESPONSES TO COMMENTS FROM DEIR PLANNING COMMISSION HEARING, JULY 14, 1999

Listing of Speakers Who Presented Testimony at DEIR Planning Commission Hearing July 14, 1999

CODE	AGENCY	SIGNATURE, TITLE
1	City of Santa Clarita	Ms. Darcy, Mayor
2	City of Santa Clarita	Mr. Jeff Lambert, Director of Planning and Building Service
3	Agua Dulce Town Council	James L. Duzik, President
4	Agua Dulce Town Council	Mrs. Diane Zureto, Secretary
5	Agua Dulce Civic Association Board of Directors	Lilian Smith
6	Agua Dulce Civic Association Board of Directors	Susan Kaplan
7	Agua Dulce Civic Association	Donna Sofley
8		Robert Beda
9		Kathy Riggins
10		Mr. Bill Filangilo
11	Local Costaic Lake Water Agency	Ed Dunn, Director
12		Linda Burke
13	Canyon County General Beautification Committee, Public Safety Law Enforcement Committee	Ms. Harper
14	S.A.F.E.	Karolyn De Mott
15		Tana Lampton
16		Brian Nichols
17	Polish Center in LA, Rivers End Park	Chris Colski
18	Rivers End Park	Al Kolasinki
19	Newhall County Water District, Castaic Lake Water Agency	Michael Kotch
20	SCOPE	Lynne Planbeck, Vice President
21		Dave Hauser
22	Sand Canyon Homeowners Association	Robert Fleck, Director
23		Jane Fleck
24		Charmaine Posten
25		Nicole Ortega

CODE	AGENCY	SIGNATURE, TITLE
26		Morgan Stein
27		Chase McKenzie Bebak
28	City of Santa Clarita	Jill Klazic, Mayor Pro Tem
29	L.A.S.E.R.	Allen Cameron
30	S.A.F.E.	Michael Henry Carbarker, President
31		Barbara Wampoll
32		Stewart Larson
33		Dr. Jonathan Trong
34		Joanne Lombardo
35	Natural History Club of Acton/Agua Dulce	Stacey Nichols, President
36	Safe Actions For the Environment	Andrew Fried
37	Santa Clarita Valley Canyons Preservation Committee	Marsha McLean, President
38		Christine Jennis
39		Karen Pierson
40		Connie Warden Roberts
41		Hunt Rawly
42		Nick Peter
43		Joseph Yore
44		Charles Manson
45		Dina Proffer

The following commentators repeated the comments in the City of Santa Clarita's written comment letter. Those comments are responded to in Section 3.0.

1 - JO ANNE DARCY, MAYOR, CITY OF SANTA CLARITA
2 - JEFFREKY LAMBERT, DIRECTOR OF PLANNING AND BUILDING SERVICES, CITY OF SANTA CLARITA

The following commentators raised issues concerning cumulative impacts analysis. This issue is discussed in the DEIR and in this FEIS. The commentators are also referred to the Topical Responses in Section 2.0.

3 - JAMES DUZIK
4 - DIANE ZURETO

Commentators 5 through 9 did not raise any issues of adequacy of the DEIR. No response is required. These commentators are recognized below.

5 - LILLIAN SMITH
6 - SUSAN KAPLAN
7 - DONNA SOFLEY
8 - ROBERT BEDA
9 - KATHY RIGGINS

10 - BILL FILANGILO

This commentator raised issues regarding traffic and land use. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0.

11 - ED DUNN

This commentator raised issues regarding water resources. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, and responses to comments in Section 3.0.

12 - LINDA BURKE

This commentator raised issues regarding public health and safety and traffic. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0.

13 - MS. HARPER

This commentator raised issues regarding traffic, air quality and biological resources. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0 and Letter L-1.

Commentators 14 through 18 did not raise any issues of adequacy of the DEIR. No response is required. These commentators are recognized below.

14 - KAROLYN DE MOTT
15 - TANA LAMPTON
16 - BRIAN NICHOLS
17 - CHRIS KOLSKI
18 - AL KOLANSINSKI

Commentators 19 through 21 raised issues regarding water resources. These issues are discussed in the DEIR and this FEIS. The commentators are also referred to the Topical Responses in Section 2.0 and other responses throughout Section 3.0. These commentators are recognized below.

19 - MICHAEL KOTCH, DIRECTOR, NEWHALL COUNTY WATER DISTRICT AND CATAIC LAKE WATER DISTRICT
20 - LYNNE PLANBECK
21 - DAVE HAUSER

22 - ROBERT FLECK

No issues regarding the adequacy of the DEIR were raised by this commentator. No response is required.

23 - JANE FLECK

This commentator raised issues regarding noise. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, Appendix E of Letter L-1, and other responses in Section 3.0.

24 - CHARMAIN POSTEN

This commentator raised issues regarding air quality. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, the revised FEIS Section 3.1.7, and other responses in Section 3.0.

Commentators 25 through 27 did not raise issues of adequacy of the DEIR. No response is required. The commentators are recognized below.

25 - NICOLE ORTEGA
26 - MORGAN STEIN
27 - CHASE MCKENZIE BEBAK

28 - JILL KLAJIC, MAYOR PRO TEM, CITY OF SANTA CLARITA

This commentator repeated the comments contained in the City of Santa Clarita comment letter. This letter is responded to in Section 3.0.

29 - ALLEN CAMERON

This commentator did not raise issues of adequacy of the DEIR. No response is required.

30 - MICHAEL CARBARKER

This commentator raised issues regarding water resources. These issues are discussed in the DEIR and this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, Letter L-1 and other responses in Section 3.0.

Commentators 31 through 34 did not raise any issues of adequacy of the DEIR. No response is necessary. These commentators are recognized below.

31 - BARBARA WAMPOLL
32 - STEWART LARSON
33 - JONATHAN TRONG
34 - JOANNE LOMBARDO

35 - STACEY NICHOLS, NATURAL HISTORY CLUB OF ACTON/AGUA DULCE

This commentator repeated the comments in this organization's written comment letter. This comment letter is responded to in Section 3.0.

Commentators 36 through 39 did not raise issues regarding the adequacy of the DEIR. Therefore, no response is required. These commentators are recognized below.

36 - ANDREW FREID
37 - MARSHA MCLEAN
38 - CHRISTINE JENNIS
39 - KAREN PIERSON

40 - CONNIE WARDEN ROBERTS, SANTA CLARITA VALLEY CHAMBER OF COMMERCE

This commentator raised issues regarding traffic, air quality, and water quality. These issues were discussed in the DEIR and in this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, Letter L-1, and other responses in Section 3.0.

41 - HUNT RAWLY, CASTAIC LAKE WATER AGENCY

This commentator raised issues regarding water resources. This issue was discussed in the DEIR and in this FEIS. The commentator is also referred to the Topical Responses in Section 2.0, Letter L-1 and other responses in Section 3.0.

Commentators 42 through 44 did not raise issues regarding the adequacy of the DEIR. Therefore, no response is required. These commentators are recognized below.

42 - NICK PETER
43 - JOSEPH YORE
44 - DINA PROFFER

6.4 RESPONSES TO COMMENTS FROM DEIR PLANNING COMMISSION HEARING, SEPTEMBER 22, 1999

Listing of Speakers Who Presented Testimony at DEIR Planning Commission Hearing September 22, 1999

CODE	AGENCY	SIGNATURE, TITLE
1		Marian Jones
2		James Desk
3	Acton Town Council	David Weary
4		Mary Funk
5		Nancy Starzyk
6		Diane Terito
7		Chris Hamper
8		Bonnie Schiif
9		Nancy Miller
10		Jenny Larsen
11		Rick Scuderi
12		Lynn Baida
13		Gary Kodel

CODE	AGENCY	SIGNATURE, TITLE
14		Jack Williams
15		Stacey Nickels
16	Pacific Crest Trail Association	Donna Saufley
17		Charles Brink
18		Sandy Richards
19		Margo Karbacher
20		Elaine and Ashton Dodd
21		Allen Cameron

Commentators 1 through 22 did not raise issues regarding the adequacy of the DEIR. Therefore, no response is required. These commentators are recognized below.

1 - MARIAN JONES
2 - JAMES DESK
3 - DAVID WEARY
4 - MARY FUNK
5 - NANCY STARZYK
6 - DIANE TERITO
7 - CHRYS HAMPER
8 - BONNIE SCHIIF
9 - NANCY MILLER
10 - JENNY LARSEN
11 - RICK SCUDERI
12 - LYNN BAIDA
13 - GARY KODEL
14 - JACK WILLIAMS
15 - STACY NICKELS
16 - DONNA SAUFLEY
17 - CHARLES BRINK
18 - SANDY RICHARDS
19 - MARGO KARBACHER
20 - ELAINE DODD
21 - ALLEN CAMERON

REBUTTAL TESTIMONY OF APPLICANT

The following presented rebuttal testimony for the Applicant at the September 22, 1999 hearing.

THOMAS POWELL, TMC
TOM RYAN, CHAMBERS GROUP, INC.

Rebuttal testimony was continued to December 1, 1999. The Applicant's Attorney and the Applicant presented rebuttal testimony for the Project.

KERRY SHAPIRO, BAKER & MCKENZIE
BRIAN MASTIN, TMC